

under permission from the respective owners, the Kahului Railroad Co. and the Hawaiian Commercial & Sugar Co., Ltd.; to the Committee on Merchant Marine and Fisheries.

By Mr. CANNON of Missouri: A bill (H. R. 7726) making appropriations for the first half of the month of July 1937, for certain operations of the Federal Government which remain unprovided for on July 1, 1937, through the failure of enactment of the supply bills customarily providing for such operations; to the Committee on Appropriations.

By Mr. MILLARD: Joint resolution (H. J. Res. 432) declaring Inauguration Day to be a legal public holiday; to the Committee on the Judiciary.

By Mr. WOODRUM: Joint resolution (H. J. Res. 433) making appropriations for the fiscal year ending June 30, 1938, for the Civilian Conservation Corps, the railroad retirement account, and other activities, and for other purposes; to the Committee on Appropriations.

By Mr. BLAND: Joint resolution (H. J. Res. 434) to amend the act entitled "An act to amend section 4471 of the Revised Statutes of the United States, as amended"; to the Committee on Merchant Marine and Fisheries.

#### MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Maryland, memorializing the President and the Congress of the United States to consider their Joint Resolution No. 11, 1937, concerning the appreciation and gratitude of the people of Maryland extended to the Honorable Franklin Delano Roosevelt, President of the United States; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Maryland memorializing the President and the Congress of the United States to consider their Joint Resolution No. 23 of the acts of 1937 concerning tax on gasoline in the District of Columbia; to the Committee on the District of Columbia.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS: A bill (H. R. 7715) for the relief of Frank E. Holly; to the Committee on Military Affairs.

By Mr. BURDICK: A bill (H. R. 7716) to provide for admission into the United States of Clarence Joseph Ferguson, an alien; to the Committee on Immigration and Naturalization.

By Mr. CHANDLER: A bill (H. R. 7717) for the relief of Mr. and Mrs. S. A. Felsenthal, Mr. and Mrs. Sam Friedlander, and Mrs. Gus Levy; to the Committee on Claims.

By Mr. DELANEY: A bill (H. R. 7718) for the relief of Angelo Degl' Innocenti, also known as Angelo Innocenti; to the Committee on Immigration and Naturalization.

By Mrs. JENCKES of Indiana: A bill (H. R. 7719) to set aside the action of general court martial provided under the authority of Special Order No. 233, dated at Manila, P. I., September 22, 1902, insofar as it pertained to cause no. 16, against Pvt. William F. Boyer, Company B, Twenty-sixth Regiment, United States Infantry; to the Committee on Military Affairs.

By Mr. PETERSON of Florida: A bill (H. R. 7720) granting a pension to Alice Omundson; to the Committee on Invalid Pensions.

By Mr. POLK: A bill (H. R. 7721) granting a pension to Theresa Donaldson; to the Committee on Invalid Pensions.

By Mr. SOMERS of New York: A bill (H. R. 7722) for the relief of George Church; to the Committee on War Claims.

By Mr. STACK: A bill (H. R. 7723) for the relief of Pete E. Simon; to the Committee on Naval Affairs.

By Mr. THOMASON of Texas: A bill (H. R. 7724) for the relief of Elizabeth Davis; to the Committee on Claims.

By Mr. TINKHAM: A bill (H. R. 7725) granting a pension to Helen Bornstein; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2804. By Mr. ANDREWS: Resolution adopted by the Common Council of the City of Buffalo, N. Y., protesting against a levy of 40 percent of the labor cost of Works Progress Administration projects against the sponsor of the projects; to the Committee on Banking and Currency.

2805. By Mr. COFFEE of Washington: Resolution of the Fruitland Grange, No. 99, C. W. Lunsford, secretary, Puyallup, Wash., setting forth that there are many abuses of the standards of health in food and drug preparation and that there are but inadequate laws to deal with the subject and that the Copeland bill is not as enforceable as is the present law, and therefore urging that the Congress should promptly enact into law House bill 5286, introduced by Mr. COFFEE of Washington, known as the Consumers' Union pure food and drug bill; to the Committee on Interstate and Foreign Commerce.

2806. By Mr. CURLEY: Petition of the Travelers' Aid Society of New Orleans, La., endorsing Senate Joint Resolution 85; to the Committee on Labor.

2807. Also, petition of the New York branch of the National Customs Service Association, urging support and enactment of House bill 3, introduced by Congressman McCormack, of Massachusetts, authorizing automatic promotions for satisfactory and meritorious service for every customs employee in the field service; to the Committee on Ways and Means.

2808. Also, petition of the New York Women's Trade Union League of New York City, urging the passage of House bill 3408, introduced by Congressman Celler; to the Committee on the Judiciary.

2809. By Mr. DOWELL: Petition of citizens of Des Moines, Iowa, relative to House bill 2257; to the Committee on Ways and Means.

2810. By Mr. KEOGH: Petition of Edward G. Sperry, Manhattan Bridge Plaza, Brooklyn, N. Y., concerning the Black-Connery bills (S. 2475 and H. R. 7200); to the Committee on Labor.

2811. By Mr. KRAMER: Resolution of the Los Angeles County Board of Supervisors, relative to Works Progress Administration relief; to the Committee on Ways and Means.

2812. Also, resolution of the Senate and Assembly of the State of California, relative to memorializing Congress to protect the rights of the State of California to its tidelands and the coastal area lying seaward of the State of California; to the Committee on Military Affairs.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 30, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, our Heavenly Father, who givest us the blessings that make life joyous and rich, we acknowledge with grateful hearts Thy goodness and mercy. As Thou art the author of truth and wisdom, we entreat Thy most gracious mercies upon our President, our Speaker, and all Members of this legislative body. We beseech Thee to bestow upon them enduring health, strength, and grace. Oh, come, Eternal Presence, and create within our souls a vital, strong, religious life; make convictions deep about the overshadowing and the all-embracing God, until we shall experience an irresistible urge after the finest and richest things to which the immortal soul can attain.

*Let the people praise Thee, O God; let all the people praise Thee.*

In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On June 28, 1937:

H. R. 937. An act for the relief of Goldie Durham;  
H. R. 2108. An act for the relief of Dorothy White, Mrs. Carol M. White, and Charles A. White;  
H. R. 2801. An act for the relief of Claude Curteman;  
H. R. 2935. An act for the relief of Montrose Grimstead;  
H. R. 3451. An act for the relief of F. M. Loeffler;  
H. R. 3687. An act to extend the period during which the purposes specified in section 7 (a) of the Soil Conservation and Domestic Allotment Act may be carried out by payments by the Secretary of Agriculture to producers;

H. R. 3812. An act for the relief of the estate of Rees Morgan;

H. R. 4064. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1938, and for other purposes;

H. J. Res. 380. Joint resolution to provide for the publication and sale by the Northwest Territory Celebration Commission of certain historical and educational material; and

H. J. Res. 415. Joint resolution making an appropriation to defray expenses incident to the dedication of chapels and other World War memorials erected in Europe, and for other purposes.

On June 29, 1937:

H. R. 703. An act for the relief of Elbert Arnold Jarrell;  
H. R. 988. An act for the relief of Otis Cordle, a minor;  
H. R. 1065. An act for the relief of Mrs. Louis Abner;  
H. R. 1275. An act for the relief of Sarah L. Smith;  
H. R. 2090. An act for the relief of John Knaack;  
H. R. 2226. An act for the relief of Leah Levine;  
H. R. 2630. An act for the relief of R. N. Teague and Minnie Teague;

H. R. 2781. An act for the relief of Rev. Harry J. Hill;

H. R. 3055. An act for the relief of the estate of John E. Callaway;

H. R. 3575. An act for the relief of Albert Retellatto, a minor;

H. R. 3583. An act for the relief of Martin J. Blazeovich;

H. R. 4023. An act for the relief of Lucy Jane Ayer;

H. R. 5146. An act for the relief of Sarah E. Palmer;

H. R. 5214. An act conferring jurisdiction upon the United States District Court for the Eastern District of Arkansas to hear, determine, and render judgment upon the claim of Charles W. Benton;

H. R. 5456. An act for the relief of Harold Scott and Ellis Marks;

H. R. 5996. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1938, and for other purposes;

H. R. 6523. An act making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1938, and for other purposes;

H. R. 7328. An act to authorize an appropriation to carry out the provisions of the act of May 3, 1928 (45 Stat. L. 484), and for other purposes;

H. R. 7589. An act to levy an excise tax upon carriers and certain other employers and an income tax upon their employees, and for other purposes;

H. J. Res. 361. Joint resolution making appropriations for relief purposes; and

H. J. Res. 375. Joint resolution to provide revenue, and for other purposes.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. St. Claire, one of its clerks, announced that the Senate had passed a bill of the

following title, in which the concurrence of the House is requested:

S. 714. An act relating to the eligibility of certain persons for admission to the civil service.

## GOVERNMENT INSURANCE

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6635) to dispense with the necessity for insurance by the Government against loss or damage to valuables in shipment, and for other purposes, with a Senate amendment, and agree to the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain what the amendment is?

Mr. COCHRAN. For the benefit of the Members of the House I may say that I have consulted the minority members of the committee and they consent to my motion. The changes are minor.

One change provides that regulations shall be issued by the Secretary of the Treasury and the Postmaster General instead of by the Postmaster General alone.

The second change provides that the Post Office Department shall not be included in the bill, because it already has its own protection system.

Mr. MARTIN of Massachusetts. What departments are included?

Mr. COCHRAN. It includes the shipment of valuables by the Government by all departments with the exception of the Post Office Department and Government corporations.

Mr. MARTIN of Massachusetts. Will the gentleman give us an idea of the general purpose of the bill?

Mr. COCHRAN. Mr. Speaker, on June 7 the House passed this bill, without objection, which is designed to save the Government the \$200,000 to \$400,000 which it now spends annually in insuring shipments of Government valuables with private insurance companies. This is accomplished by establishing a self-insurance procedure. The Senate made a number of changes in it, all of which, as I said, are minor in character and do not materially affect the major objectives of this constructive economy legislation.

The changes made by the Senate in the House bill are as follows:

First. The Senate provided that the regulations governing the shipment of valuables by the various governmental agencies with a view to minimizing risks of loss, destruction, and damage, which regulations are authorized by section 1 of the bill, should be prescribed by the Secretary of the Treasury and the Postmaster General jointly instead of by the Postmaster General alone, as the House bill provided. This would make the regulations the joint effort of the agency of the Government which ships the most valuables and the governmental agency which actually carries the bulk of all Government shipments of valuables.

Second. The Senate added a proviso to section 3 of the bill that the revolving fund set up to pay losses should not be available with respect to losses of valuables insofar as the Postmaster General has authority to adjust such losses under the act of March 17, 1882, as amended. Since the Post Office Department already has this self-insurance practice, it was felt that there was no occasion to make the fund available to replace losses covered by existing self-insurance procedure. This proviso is in harmony with the proviso in the same section, as it passed the House, denying the Public Debt Service of the Treasury Department access to the fund to the extent that it is self-insured by existing law.

Third. The Senate struck out the word "disbursing" in that portion of section 3 of the bill, as it passed the House, which provided that replacements of Government valuables lost in shipment should be made out of the revolving fund set up by the bill for that purpose through such "disbursing officers" as the Secretary of the Treasury may designate. This amendment is in the interest of efficient administra-



tion, since it will permit payments to be made directly from the fund by the Treasurer of the United States, who is not regarded as a disbursing officer.

Fourth. The Senate struck out section 4 of the bill, as it passed the House. Section 4 was eliminated because of its possible effect upon those wholly owned Government corporations whose obligations are not fully guaranteed as to principal and interest by the United States. The credit of such corporations might be adversely affected, in the event of a substantial loss of valuables in shipment, as a result of the creation of an obligation to repay to the United States the entire amount of such loss and the creation of a priority in favor of the United States in case of dissolution, as was provided by section 4. Any such impairment of credit would be reflected in higher interest rates, which ultimately would adversely affect the interests of the United States, the sole stockholder in such corporation.

Fifth. The elimination of section 4 necessitated renumbering the remaining sections of the bill. The Senate made several other inconsequential amendments involving form only and corrections of printing errors in the bill.

Mr. MARTIN of Massachusetts. The gentleman really thinks that this will save some money, does he?

Mr. COCHRAN. I have investigated the matter fully, and I know that as soon as this bill passes the Government will save over \$1,000 a day. I will insert a letter from the Treasury confirming this statement.

Mr. MARTIN of Massachusetts. If this bill will result in the saving of any money, let it be passed.

Mr. RICH. Reserving the right to object, Mr. Speaker, I see now you have added authority for the Secretary of the Treasury to give instructions to the Postmaster General. It shows that you have not got a lot of confidence in the gentleman who is now running the Post Office Department of this country. It seems as if the committee did a good thing.

Mr. CRAWFORD. Mr. Speaker, reserving the right to object, does this cover the shipment of currency by the Federal Reserve System or by the Comptroller of the Currency to the Federal Reserve banks?

Mr. COCHRAN. It covers the Federal Reserve System in part, but not Government corporations. They take care of their own shipments, as does the Post Office Department.

Mr. CRAWFORD. I understand that we are spending millions of dollars annually as insurance on the transfer of currency, whereas the loss is practically nothing.

Mr. COCHRAN. H. R. 6635 will cover shipments of any valuable which is of, or similar to, a class or kind which it has been the practice heretofore of the United States—which for the purposes of the bill is defined to mean the United States or any of its executive departments, independent establishments, agencies, wholly owned corporations officers, or employees—to insure against loss, destruction, or damage in shipment. Thus, the bill will cover shipments of valuables by the Federal Reserve System when acting as fiscal agent or depository of the United States and all shipments of valuables by the Comptroller of the Currency, since an insurance policy for the fiscal year 1937 was taken out with private insurance companies on behalf of the Comptroller of the Currency, the Federal Reserve banks, and agents and branches acting as fiscal agents or depositaries of the United States, as well as many other agencies of the Government which are itemized in the committee reports on the bill. The bill would not, however, cover shipments between Federal Reserve banks or branches when they were acting privately and not as fiscal agents or depositaries of the United States.

The letter I referred to follows:

TREASURY DEPARTMENT,  
Washington, June 28, 1937.

HON. JOHN J. COCHRAN,  
Chairman, Committee on Expenditures  
in the Executive Departments,  
House of Representatives.

MY DEAR MR. COCHRAN: The Senate today passed H. R. 6635, the Government losses in shipment bill, with a number of minor

changes, none of which materially affect the major objectives of the bill as it passed the House. I am enclosing a memorandum explaining these changes for your use on the floor of the House.

Because of the necessity for prompt replacement of losses and the uncertainty as to whether the present legislation would be enacted in time, it has been necessary to renew the present private insurance policy which expires on June 30. The new policy, however, contains an express provision that it shall terminate at the hour and upon the date the regulations governing shipments of Government valuables to be prescribed under section 1 of the bill become effective. These regulations are now in process of preparation and will be issued promptly after the enactment of the bill. The new policy goes into effect on July 1 and will cost the Government approximately \$1,000 a day for each day it remains in force. It is apparent, therefore, that the immediate enactment of the bill is very desirable from an economy standpoint so that regulations can be promulgated thereunder and the private insurance policy terminated.

The amendments made by the Senate (which, as I have indicated, are minor in character) meet with the approval of the Treasury Department, and we were hopeful, therefore, that in view of the circumstances you would deem it advisable to urge the House to concur promptly in the amendments.

Cordially yours,

C. M. HESTER,  
Assistant General Counsel.

The SPEAKER. Is there objection to the present consideration of the Senate amendment?

There was no objection.

The Clerk read the amendment, as follows:

Strike out all after the enacting clause and insert:

"That as soon as practicable after the approval of this act the Secretary of the Treasury and the Postmaster General shall, jointly, with the approval of the President, prescribe regulations governing the shipment of valuables by the executive departments, independent establishments, agencies, wholly owned corporations, officers, and employees of the United States, with a view to minimizing risks of loss and destruction of, and damage to, such valuables in shipment. After the effective date of such regulations, which shall be not more than 30 days after their issuance, it shall be the duty of every such executive department, independent establishment, agency, wholly owned corporation, officer, and employee, and of every person acting for him or it, or at his or its direction, to comply with such regulations in making any shipment of valuables.

"SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$500,000 to be used, under the direction of the Secretary of the Treasury, for the replacement of valuables, or the value thereof, lost, destroyed, or damaged in the course of shipment effected pursuant to the regulations prescribed under section 1. There is hereby further authorized to be appropriated annually, beginning with the fiscal year 1939 and ending with the fiscal year 1948, inclusive, the sum of \$200,000 for the said purposes, and from time to time such additional sums as may be necessary for the said purposes. There shall be in the Treasury of the United States a revolving fund, to be known as "the fund for the payment of Government losses in shipment" (hereinafter referred to as "the fund"), to be constituted of the said sum of \$500,000 and the sums hereafter appropriated for the said purposes, together with all recoveries and repayments credited to the fund as hereinafter provided. There is hereby further authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000, for expenditures under the direction of the Secretary of the Treasury, to be used for the payment of administrative expenses, including personal services, necessary to carry out the provisions of this act for the fiscal year 1938.

"SEC. 3. In the event of loss or destruction of, or damage to, valuables of which shipment shall have been made pursuant to the regulations prescribed under section 1, a claim in writing for replacement shall be made upon the Secretary of the Treasury, who, if he shall be satisfied that such loss, destruction, or damage has occurred and that shipment was made substantially in accordance with such regulations, shall cause replacement to be made out of the fund through such officers as he may designate. Notwithstanding any provision of law to the contrary, the decision of the Secretary of the Treasury that such loss, destruction, or damage has occurred or that such shipment was made substantially in accordance with such regulations shall be final and conclusive and shall not be subject to review by any other officer of the United States: *Provided, however*, That where the Secretary of the Treasury determines that such replacement can be effected, in whole or in part, without actual or ultimate injury to the United States, by a credit in the accounts of the executive department, independent establishment, agency, officer, employee, or other accountable person making the claim, he shall not resort to the fund, except to the extent that such replacement cannot be so effected by such credit, but shall certify such determination to the Comptroller General and, upon receipt of such certification, the Comptroller General is authorized and directed to make such credit in the settlement of accounts in the General Accounting Office: *Provided further*, That the fund shall not be available with respect to any loss, destruction, or damage affecting valuables



of which shipment shall have been made by or on behalf of the Public Debt Service of the Treasury Department, insofar as such loss, destruction, or damage is chargeable against the indefinite appropriation 'Expenses of loans, act of September 24, 1917, as amended and extended' (U. S. C., 1934 ed., title 31, secs. 760, 761): *And provided further*, That the fund shall not be available with respect to any loss, destruction, or damage affecting valuables, insofar as such loss, destruction, or damage may be adjusted by the Postmaster General under the provisions of the act of March 17, 1882, as amended (U. S. C., 1934 ed., title 39, sec. 49); nor shall it be available with respect to any loss, destruction, or damage affecting valuables of which shipment shall have been made at the risk of persons other than the United States, its executive departments, independent establishments, agencies, wholly owned corporations, officers, and employees. All recoveries and repayments on account of loss, destruction, or damage to valuables of which replacement shall have been made out of the fund shall be credited to it and shall be available for the purposes thereof.

"Sec. 4. On and after the effective date of the regulations prescribed under section 1, no executive department, independent establishment, agency, wholly owned corporation, officer or employee shall expend any money, or incur any obligation, for insurance, or for the payment of premiums on insurance, against loss, destruction, or damage in the shipment of valuables except as specifically authorized by the Secretary of the Treasury. The Secretary of the Treasury may give such authorization if he shall find that the risk of loss, destruction, or damage in such shipment cannot be adequately guarded against by the facilities of the United States or that the circumstances are such that adequate replacement cannot be provided under this act.

"Sec. 5. Every officer and employee of the United States and every person acting on behalf of a wholly owned corporation who makes a shipment of valuables in good faith pursuant to and substantially in accordance with the regulations prescribed under section 1 shall be deemed, insofar as there may be concerned the propriety with respect to such shipment of any act or omission governed by such regulations, to be acting in faithful execution of his duties of office and in full performance of the conditions of his bond and oath of office, if any.

"Sec. 6. The Secretary of the Treasury shall have power, with the approval of the President, to make such rules and regulations as may be necessary for the execution of the functions vested in him by this act, and may for such purpose require persons making shipment of valuables or making claims for replacement to make such declarations or to furnish him with such other information as he may deem necessary.

"Sec. 7. For the purposes of this act—

"(a) The term 'valuables' means any article or thing or representative of value in which the United States has any interest, or in connection with which it has any obligation or responsibility, direct or indirect, and which is of, or is similar to, a class or kind of article or thing or representative of value which it has been the practice heretofore, of the United States to insure as the insured party, against loss, destruction, or damage in shipment, and includes, but is not limited to, coin, specie, bullion, currency, bonds, coupons, debentures, bills, notes, certificates of indebtedness, certificates of deposit, mortgages, assignments, certificates of stock, warehouse receipts, checks, trust receipts, warrants, stamps, and any other securities, papers, or materials of value, whether complete, incomplete, mutilated, in definitive form, or represented by interim documents; the term 'United States' as used in this subsection means the United States or any of its executive departments, independent establishments, agencies, wholly owned corporations, officers, or employees;

"(b) The term 'shipment' means the transportation, or the effecting of transportation, of valuables, without limitation as to the means or facilities used, or by which the transportation is effected, or the person to whom it is made, and includes, but is not limited to, shipments made to any executive department, independent establishment, agency, wholly or partly owned corporation, officer, or employee of the United States, or any person acting on his or its behalf or at his or its direction;

"(c) The term 'wholly owned corporation' means any corporation, regardless of the law or laws under which it is incorporated, the capital of which is entirely owned, directly or indirectly, by the United States, and includes the duly authorized officers, employees, and agents thereof;

"(d) The term 'replacement' means payment, reimbursement, replacement, or duplication, or the expenses incident thereto.

"Sec. 8. (a) Whenever it is clearly proved to the satisfaction of the Secretary of the Treasury—

"(1) That any interest-bearing security of the United States, identified by number and description, payable to bearer or so assigned as to become, in effect, payable to bearer, has been wholly or partly destroyed, or so mutilated or defaced as to impair its value to the owner, or has been lost or stolen under such circumstances, and such a period of time having elapsed after it has matured or has become redeemable pursuant to a call for redemption, as in the judgment of the Secretary would indicate that it has been destroyed or irretrievably lost, is not held by any person as his own property and will never become the basis of a valid claim against the United States; or

"(2) That any interest-bearing security of the United States, identified by number and description, which is not payable to bearer, and which has not been so assigned as to become, in effect, payable to bearer, has been lost or stolen, so that it is not held by any person as his own property, or has been wholly or partly

destroyed, or so mutilated or defaced as to impair its value to the owner;

"the Secretary, upon receipt and approval by him of a bond of indemnity, if and as required by subsection (b) hereof, shall, in the case of a security which has not matured or become redeemable pursuant to a call for redemption, issue a substitute marked 'duplicate' and showing the serial number of the original security; or shall, in the case of a security which has matured or become redeemable pursuant to a call for redemption, make payment thereof to the owner, with such interest only as would have been paid had the security been presented when it became due and payable: *Provided*, That in the case of an interim certificate relief may be given by the issue of a definitive security, whether before or after maturity, rather than by the issue of a substitute or by payment: *And provided further*, That no payment shall be made on account of interest coupons claimed to have been attached to such original security unless the Secretary is satisfied that such coupons have not been paid, and are in fact destroyed or can never become the basis of a valid claim against the United States.

"(b) Except as hereinafter provided, the owner of such lost, stolen, destroyed, mutilated, or defaced security shall file with the Secretary of the Treasury a bond, to indemnify the United States, in such form and amount and with such surety, sureties, or security as the Secretary of the Treasury shall require: *Provided*, That in case of securities payable to bearer or so assigned as to become, in effect, payable to bearer, the destruction of which has not been proved, a corporate surety, qualified under the provisions of the act of August 13, 1894, as amended (U. S. C., 1934 ed., title 6, secs. 6-13), shall be required on such bond of indemnity: *And provided further*, That a bond of indemnity shall not be required in any of the following classes of cases, except as hereinafter provided:

"(1) If the Secretary of the Treasury is satisfied that the loss, theft, destruction, mutilation, or defacement, as the case may be, occurred without fault of the owner and while the security was in the custody or the control of the United States (not including the Postal Service when acting solely in its capacity as the public carrier of the mails), or of a person thereunto duly authorized as lawful agent of the United States, or while it was in the course of shipment effected pursuant to and in accordance with the regulations issued under the provisions of this act;

"(2) If substantially the entire security is presented and surrendered by the owner and the Secretary of the Treasury is satisfied as to the identity of the security presented and that any missing portions are not sufficient to form the basis of a valid claim against the United States;

"(3) If the lost, stolen, destroyed, mutilated, or defaced security is one which by the provisions of law or by the terms of its issue is transferable only by operation of law;

"(4) If the owner is a State or political subdivision thereof, a corporation the whole of whose capital is owned by the United States, a foreign government, or a Federal Reserve bank:

*Provided, however*, That in any of the foregoing classes of cases the Secretary of the Treasury may require a bond of indemnity if he deems it essential to the public interest.

"(c) The term 'interest-bearing security of the United States' or 'security', wherever used in this section, means any direct obligation of the United States issued pursuant to law for valuable consideration and which by its terms bears interest, or is issued on a discount basis, and includes (but is not limited to) bonds, notes, certificates of indebtedness, and Treasury bills, and interim certificates issued for any such security.

"(d) The Secretary of the Treasury shall have the power to make such rules and regulations as he may deem necessary for the administration of this section.

"(e) Sections 3702, as amended, 3703, 3704, and 3705 of the Revised Statutes of the United States (U. S. C., title 31, secs. 735, 736, 737, and 738) are hereby repealed.

"Sec. 9. Section 3646 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 31, sec. 528), as amended, is further amended to read as follows:

"(a) Except as hereinafter provided, whenever it is clearly proved to the satisfaction of the Secretary of the Treasury that any original check of the United States is lost, stolen, or wholly or partly destroyed, or is so mutilated or defaced as to impair its value to its owner or holder, persons authorized to issue such checks on behalf of the United States are authorized, before the close of the fiscal year following the fiscal year in which the original check was issued, to issue to the owner or holder thereof a substitute, marked "duplicate" and showing the number, date, and payee of the original check, upon the receipt and approval by the Secretary of the Treasury of a bond, to indemnify the United States, in such form and amount and with such surety, sureties, or security as the Secretary of the Treasury shall require; but no such substitute shall be payable if the original check shall first have been paid: *Provided, however*, That the authority herein conferred to issue substitute checks may, in the case of checks issued on account of public-debt obligations and transactions regarding the administration of banking and currency laws, be issued without limitation of time.

"(b) A bond of indemnity shall not be required under subsection (a) of this section in any of the following classes of cases except as hereinafter provided: (1) If the Secretary of the Treasury is satisfied that the loss, theft, destruction, mutilation, or defacement, as the case may be, occurred without fault of the owner or holder and while the check was in the custody or control



of the United States (not including the Postal Service when acting solely in its capacity as the public carrier of the mails), or of a person thereunto duly authorized as lawful agent of the United States, or while it was in the course of shipment effected pursuant to and in accordance with the regulations issued under the provisions of the Government Losses in Shipment Act; (2) if substantially the entire check is presented and surrendered by the owner or holder and the Secretary of the Treasury is satisfied as to the identity of the check presented and that any missing portions are not sufficient to form the basis of a valid claim against the United States; (3) if the Secretary of the Treasury is satisfied that the original check is not negotiable and cannot be made the basis of a valid claim against the United States; (4) if the amount of the check is less than \$50 and the Secretary of the Treasury is satisfied that the giving of a bond of indemnity would be an undue hardship to the owner or holder; (5) if the owner or holder is a State or political subdivision thereof, a corporation the whole of whose capital is owned by the United States, a foreign government, or a Federal Reserve bank: *Provided, however*, That in any of the foregoing classes of cases the Secretary of the Treasury may require a bond of indemnity if he deems it essential to the public interest.

"(c) The Secretary of the Treasury shall have the power to make such rules and regulations as he may deem necessary for the administration of the provisions of this section.

"(d) Notwithstanding the provisions of subsections (a), (b), and (c) of this section, whenever any original check of the Post Office Department has been lost, stolen, or destroyed, the Postmaster General may authorize the issuance of a substitute, marked "duplicate" and showing the number, date, and payee of the original check, before the close of the fiscal year following the fiscal year in which the original check was issued, upon the execution by the owner thereof of such bond of indemnity as the Postmaster General may prescribe: *Provided*, That when such original check does not exceed in amount the sum of \$50 and the payee or owner is, at the date of the application, an officer or employee in the service of the Post Office Department, whether by contract, designation, or appointment, the Postmaster General may, in lieu of an indemnity bond, authorize the issuance of a substitute check or warrant upon such an affidavit as he may prescribe, to be made before any postmaster by the payee or owner of an original check.

"(e) Substitutes, marked as hereinabove provided, drawn on the Treasurer of the United States, shall, after the lapse of the period fixed by section 21 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1235; U. S. C., 1934 ed., title 31, sec. 725 (t)), for the payment of the original checks, be payable only as the original checks would be payable thereunder.

"(f) The term "original check" wherever used in this section means any check, warrant, or other order for the payment of money, payable upon demand and not bearing interest, drawn by a duly authorized officer or agent of the United States on its behalf against an account or funds of the United States, whether upon a bank or upon the Treasurer or other paying officer of the United States, but does not include money, coins, or currency of the United States nor instruments issued by any corporation or other entity owned or controlled by the United States, whether in whole or in part, against such corporation's or entity's own funds; as used in subsection (d) of this section it means such an instrument drawn by a duly authorized officer or employee of the Post Office Department."

"Sec. 10. This act may be cited as the 'Government Losses in Shipment Act.'

"Sec. 11. This act shall become effective on July 1, 1937."

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

#### EXTENSION OF REMARKS

Mr. COLDEN asked and was given permission to extend his own remarks in the RECORD.

#### DEPARTMENT OF LABOR

Mrs. NORTON. Mr. Speaker, I present a privileged report on House Resolution 248 and ask for its immediate consideration.

The Clerk read as follows:

#### House Resolution 248

*Resolved*, That the Secretary of Labor be, and he is hereby, directed to furnish the House of Representatives all facts which he may possess, or which may be available in the Labor Department, and which will show or tend to show—

(a) Whether one of the issues to be decided by, or on which advice is sought from, the Mediation Board recently appointed and consisting of Charles P. Taft, II, Lloyd K. Garrison, and Edward F. McGrady, is the signing of a contract between labor organizations and employer.

(b) Whether a book written by the said Charles P. Taft, II, contained the statement that "fuel is added to the flames by the silly refusal of employers to put such agreements as they may reach in writing."

(c) Whether Lloyd K. Garrison made the statement: "The establishment of satisfactory relations between labor and management depends upon the frank acceptance of collective bargaining and the reduction of these agreements to writing."

(d) Whether, Edward F. McGrady, of the Labor Department, being a member of the Mediation Board, it is the policy of the Labor Department to close factories where the employer refuses to sign a written contract and a labor organization threatens to

either close the factory or make demonstration in force against the workers who may remain within.

(e) What, if any, written agreement, verbal agreement, gentlemen's agreement, or implied agreement, the Labor Department has with John L. Lewis, or any other person, firm, corporation, or organization, with reference to the closing of any factory, where such factory is picketed in force by individuals or labor organizations.

(f) What plans, if any, the Labor Department has made looking toward the securing for workers in industry the opportunity to work, when a majority in any particular industry, plant, or factory desire to work.

(g) Where plants are picketed or where demonstrations against struck plants are made in force, whether it is the policy of the Labor Department to close such plants.

#### ADVERSE REPORT TO ACCOMPANY HOUSE RESOLUTION 248

The Committee on Labor, to whom was referred the resolution (H. Res. 248) requesting information from the Secretary of Labor, having had the same under consideration, report it back to the House and recommend that the resolution do not pass.

The action of the committee is based upon the following letter from the Secretary of Labor.

DEPARTMENT OF LABOR,  
OFFICE OF THE SECRETARY,  
Washington, June 26, 1937.

The Honorable MARY T. NORTON,  
Chairman, Committee on Labor,  
House of Representatives, Washington, D. C.

MY DEAR MME. CHAIRMAN: I have your letter of June 24, 1937, requesting my comment on House Resolution 248, submitted by Congressman HOFFMAN, and requiring the Secretary of Labor to furnish the House of Representatives certain information.

The resolution provides that the Secretary of Labor be directed to furnish the House such information as may be in my possession or available to me with regard to certain issues relating to the appointment of the mediation board for the steel industry and the current labor dispute in that industry.

With regard to paragraph (e), which reads as follows:

"What, if any, written agreement, verbal agreement, gentleman's agreement, or implied agreement the Labor Department has with John L. Lewis or any other person, firm, corporation, or organization with reference to the closing of any factory, where such factory is picketed in force by individuals or labor organizations?"

The answer is—no agreement, actual or implied, has been made nor will be with anyone.

For your convenience I shall analyze the resolution paragraph by paragraph.

The first question upon which information is asked is whether one of the issues to be decided by or upon which advice is sought by the Board is the signing of a contract between labor organizations and employer. I enclose a copy of the order appointing the Board. You will notice that neither the order nor the statute upon which it is predicated gives the Board authority to decide any issues unless the parties voluntarily agree to arbitration and submit issues to it. Thus far this has not been done. (One of the issues reported by the press to be involved was the question of signing a contract. This, however, upon later examination proved to be too limited a description of the issues which, according to the testimony of certain employers in the steel industry, was as to whether they would make any agreement, written or oral.)

The next two questions are as to whether Mr. Charles P. Taft, Chairman of the Board, and his colleague, Mr. Lloyd P. Garrison, have either written or published statements indicating their position with regard to this controversy or issue. I have no personal knowledge of any such statements on their part, and in appointing the Board my only desire was to select men who had already demonstrated their success as mediators in disputes of national significance and whose integrity and fairness was beyond question.

The paragraphs numbered (d), (e), and (g) ask the question as to whether the Labor Department has a policy in favor of closing plants where a factory is being picketed. The Department of Labor has no jurisdiction to close factories, and such factories as have been closed during the current strike have been closed by State or local officials, acting upon their police powers to preserve health and safety. I have no authority, either expressed or implied, to pass upon the legality or propriety of such orders, nor have I done so. The Labor Department has no policy whatever in this respect.

Paragraph (f) asks what plans the Department of Labor has made toward the securing for workers in industry "the opportunity to work when a majority in any particular industry, plant, or factory desire to work." The Department of Labor has no function with regard to referring applicants for employment to suitable jobs except such as are vested in the United States Employment Service under the Wagner-Peyser Act (act of June 6, 1933, 47 Stat. 113). You will notice from the language of this act that Congress did not wish the Service to be used as a strike-breaking agency, since section 11 (b) of the Wagner-Peyser Act provides that regulations shall be issued requiring notice of strikes or lockouts to be given to prospective applicants.

Yours very truly,

FRANCES PERKINS.

#### ADMINISTRATIVE ORDER

Whereas an emergency has arisen as a result of the labor dispute in the steel industry which tends to obstruct and interrupt the



free flow of raw materials, semifinished and finished steel products in interstate commerce; and

Whereas the effects of such dispute have affected commerce among several States; and

Whereas it is desirable to provide an additional means of accomplishing a reasonable solution to this controversy, and since, in my judgment, the interests of industrial peace require it to be done:

Now, therefore, I, Frances Perkins, Secretary of Labor, by virtue of and pursuant to the authority vested in me by section 8 of the act of March 4, 1913 (37 Stat. 738; U. S. C., title 5, sec. 619), do hereby appoint Charles P. Taft, Lloyd K. Garrison, and Edward F. McGrady as commissioners of conciliation, to mediate the said labor dispute which has arisen in the steel industry. Such commissioners of conciliation shall jointly be referred to as the Federal Steel Mediation Board (hereafter referred to as the Board), and said Charles P. Taft shall act as chairman of such Board.

The Board is further authorized (a) to investigate issues, disputes, facts, practices, and activities of employers and employees that are burdening or obstructing, or threatening to burden or obstruct the free flow of interstate commerce; (b) to conduct hearings, take testimony under oath, and to make findings of fact and recommendations for settlement; (c) to act as voluntary arbitrator on request of the parties to the dispute and render awards with respect to the subject matter of such disputes as are submitted to it as shall be binding upon the parties to the submission.

The Board shall have its headquarters at Cleveland, Ohio, and shall make a weekly report to the Secretary of Labor and shall have authority to recommend to the said Secretary of Labor the appointment of additional employees necessary to the performance of the duties of the said Board. Each Commissioner of the Board shall receive the necessary traveling and subsistence expenses and each Commissioner who prior to the issuance of this order was not an officer or employee of the United States shall receive \$25 per diem in addition thereto. All such expenses, together with the expenses incurred for rent, supplies, and employees appointed by the Secretary of Labor, shall be paid from the act of May 15, 1936, making appropriations for the Department of Labor for the fiscal year ending June 30, 1937 (49 Stat. 1347, 1348) which enables the Secretary of Labor to exercise the authority conferred upon the Secretary by law to appoint commissioners of conciliation and shall be disbursed upon vouchers signed by the acting director of conciliation.

JUNE 17, 1937.

Mr. MARTIN of Massachusetts. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MARTIN of Massachusetts. The understanding was that the gentleman from Michigan [Mr. HOFFMAN] might have several minutes in which to talk about his resolution.

The SPEAKER. The gentleman from Michigan may submit such a request.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the thought behind this resolution, House Resolution 248, which I introduced on June 21, was to get the policy of the Department of Labor and also of the administration, for the Labor Department speaks for the administration, with reference to the question of collective bargaining, about which there is so much dispute.

If my information is accurate, the Secretary of Labor a few days ago called upon the Governor of Ohio to, by the use of some sort of subpoena, call in Tom Girdler, president of Republic Steel Corporation, and Frank Purnell, head of Youngstown Sheet & Tube Co., compel them to meet with those representing the C. I. O. and hold them in conference.

The attempt was to be similar to that which was made when the negotiations were pending in Michigan between General Motors and the C. I. O. representatives—that is, to hold them in session, of course, not forcibly, because that is absurd, but by invitation and by persuasion—until an agreement was reached.

It will be recalled that when the General Motors strike was on in Flint, Mich., Governor Murphy was in direct communication with the President. The President had stated, in substance, that it was a mistake on the part of Sloan to refuse to meet and negotiate with C. I. O. representatives.

Governor Murphy insisted, for a period of something like 40 days, that those gentlemen meet from time to time and continue their conferences. With the assistance of Mme.

Perkins and of the President, Governor Murphy, who had in the meantime neglected to enforce the laws of the State, forced an agreement.

It may be remarked in passing that he took a great deal of pride in the accomplishment of his purpose. Subsequent events have demonstrated the futility of such a course of conduct.

An agreement obtained by intimidation is of but little value, especially when made, as that one was, with an organization which so quickly and frequently violated its terms.

Not long ago the President said, in substance, that he could see no reason why if a man made an agreement he should not be willing to reduce it to writing and to sign it. This was the statement of an obvious truth but it ignored the fact that the independent steel companies had not made an agreement with the C. I. O.

There has been a great deal of misunderstanding about what the Wagner law required. High Federal officials have intimated, if they have not stated directly, that even though the law did not in terms require a written agreement, nevertheless, those called to collective bargaining, if they acted in good faith, would come to an agreement and would sign a written contract.

Such a conclusion is unjustified. The law itself does not require a written agreement. Senator WAGNER so stated in a letter to the New York Sun.

The truth of the matter is that this act never was intended to compel the making of an agreement between employer and employee, and those who criticize steel or any other employer for not signing such an agreement evidently either know nothing of the history of the enactment of the law or have forgotten it.

The attention of the House is called to a statement which I put in the Record the other day—page 6467—which was taken from the report of the Senate Committee on Education and Labor, when this law was being considered by the Senate.

The confusion which exists about this law, its terms and its purpose and what can be accomplished under it, can be avoided if this statement in the report be read. Let me quote it again (S. Rept. 573, 74th Cong., 1st sess., p. 12):

The committee wishes to dispel any possible false impression that this bill is designed to compel the making of agreements or to permit governmental supervision of their terms. It must be stressed that the duty to bargain collectively does not carry with it the duty to reach an agreement, because the essence of collective bargaining is that either party shall be free to decide whether proposals made to it are satisfactory.

You will note that the Senate was advised, through its Committee on Education and Labor, which reported the bill, that the committee did not have the slightest idea that men could be called in by the Government and forced to enter into an agreement, either verbal or written.

This being true, it is hardly fair to criticize either party for failing to comply with a procedure never contemplated by a committee, House or Senate, when the bill was under consideration.

With this report of the committee in mind, it is apparent that the effort on the part of the Secretary of Labor and the administration to force the C. I. O. upon industry has no justification in law. It certainly has none in morals.

Mr. FORD of California. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from California.

Mr. FORD of California. Has the gentleman read the thirteenth amendment to the Constitution?

Mr. HOFFMAN. I do not think it would make much difference under present conditions whether I have read either the thirteenth amendment, any other amendment, or the Constitution itself, for the rights guaranteed under the Constitution are not protected at the present time by this administration.

Mr. FORD of California. I would suggest the gentleman read it.

[Here the gavel fell.]

Mrs. NORTON. Mr. Speaker, I move to lay the resolution on the table.

The motion was agreed to.

A motion to reconsider was laid on the table.



## NEW YORK WORLD'S FAIR, 1939

Mr. MERRITT. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 379, authorizing Federal participation in the New York World's Fair, 1939.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There being no objection, the Clerk read the joint resolution, as follows:

Whereas there is to be held in the city of New York during the year 1939 a world's fair and celebration commemorating the one hundred and fiftieth anniversary of the inauguration of the first President of the United States of America and of the establishment of the Federal Government in the city of New York; and

Whereas the State and city of New York have provided a site and permanent public improvements adjacent to the site at an estimated cost of \$18,000,000, and New York World's Fair 1939, Inc., proposes to make available for such world's fair, through the sale of its debentures to the public or otherwise, a sum not less than \$25,000,000; and

Whereas such world's fair and celebration are worthy and deserving of the support and encouragement of the United States; and the United States has aided and encouraged such world's fairs and celebrations in the past: Therefore be it

*Resolved, etc.,* That there is hereby established a commission, to be known as the United States New York World's Fair Commission, and to be composed of the Secretary of State, the Secretary of Agriculture, and the Secretary of Commerce; which Commission shall serve without additional compensation and shall represent the United States in connection with the holding of a world's fair and celebration in the city of New York during the observance in the year 1939 of the one hundred and fiftieth anniversary of the inauguration of the first President of the United States of America and of the establishment of the Federal Government in the city of New York.

Sec. 2. There shall be a United States Commissioner for the New York World's Fair, who shall be appointed by the President, and who shall receive compensation at the rate of \$10,000 per annum, and one Assistant Commissioner for said New York World's Fair, who shall be appointed by the Commissioner with the advice and approval of the Commission herein designated and shall receive compensation not to exceed \$7,500 per annum. The salary and expenses of the Commissioner, the Assistant Commissioner, and such staff as the Commission may require, shall be paid out of the funds authorized to be appropriated by this joint resolution, for such period prior to the opening of the world's fair as the Commission may determine, for the duration of the world's fair, and for not more than 6 months after the official closing thereof.

Sec. 3. The Commission shall prescribe the duties of the United States Commissioner and shall delegate such powers and functions to him as it shall deem advisable in order that there may be exhibited at the New York World's Fair by the Government of the United States, its executive departments, independent offices, and establishments, such articles and materials and documents and papers as may relate to this period of our history and such as illustrate the function and administrative faculty of the Government in the advancement of industry, science, invention, agriculture, the arts, and peace, and demonstrating the nature of our institutions, particularly as regards their adaptation to the needs of the people.

Sec. 4. The Commission is authorized to appoint, without regard to the civil-service laws and regulations and the Classification Act of 1923, as amended, such clerks, stenographers, and other assistants as may be necessary; purchase such materials, contract for such labor and other services as are necessary, including the preparation of exhibits plans: *Provided*, That the Commission may delegate such powers in its discretion. The Commissioner may exercise such powers as are delegated to him by the Commission as hereinbefore provided, and in order to facilitate the functioning of his office may subdelegate such powers (authorized or delegated), as may be deemed advisable by the Commission, to the Assistant Commissioner or others in the employ of or detailed to the Commission.

Sec. 5. The heads of the various executive departments and independent offices and establishments of the Government are authorized to cooperate with said Commissioner in the procurement, installation, and display of exhibits, and to lend to the New York World's Fair, with the knowledge and consent of said Commissioner, such articles, specimens, and exhibits as said Commissioner shall deem to be in the interest of the United States and in keeping with the purposes of such world's fair and celebration, to be placed with the science or other exhibits to be shown under the auspices of such New York World's Fair; to appoint without regard to civil-service laws and regulations and the Classification Act of 1923, as amended, such draftsmen and other assistants as may be necessary; to contract for such labor or other services as shall be deemed necessary; and to designate officials or employees of their departments or branches to assist said Commissioner. At the close of the world's fair, or when the connection of the Government of the United States therewith ceases, said Commissioner shall cause all such property to be

returned to the respective departments and branches concerned, and any expenses incident to the restoration, modification, and revision of such property to a condition which will permit its use at subsequent expositions and fairs, and for the continued employment of personnel necessary to close out the fiscal and other records and prepare the required reports of the participating organizations, may be paid from the appropriation authorized therein; and if the return of such property is not feasible, he may, with the consent of the Commission and the department or branch concerned, make such disposition thereof as he may deem advisable and account therefor.

Sec. 6. The sum of \$3,000,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes of this joint resolution, and shall remain available until expended; except that, upon the termination of the Commission, any unexpended or unobligated balance shall be covered back into the Treasury of the United States. And, subject to the provisions of this joint resolution, the Commission is authorized to erect such building or buildings, or other structures, for its own use, and such other buildings and structures as will further the trade and good will between the United States and the other nations of the world, and to provide for the landscaping of the site or sites thereof; to rent such space without regard to the provisions of section 322 of the act of June 30, 1932 (47 Stat. 412), as the Commission may deem adequate to carry out effectively the provisions of this joint resolution; to provide for the decoration of such buildings or structures, and for the proper maintenance of such buildings or structures, site, and grounds during the period deemed necessary by the Commission. The Commission may contract with the New York World's Fair 1939 Inc. or otherwise for the designing and erection of such building or buildings, structure or structures, improvement or improvements, the rental of such space and for such other services as shall be deemed necessary and proper. The appropriation authorized by this joint resolution shall be available for the operation of the building or buildings, structure or structures, improvement or improvements, including light, heat, water, gas, janitor, and other required services; for the rental of space in the District of Columbia or elsewhere; for the selection, purchase, preparation, assembling, transportation, installation, arranging, safekeeping, exhibition, demonstration, and return of such articles and materials as the Commission may decide shall be included in such Government exhibit and in the exhibits of the New York World's Fair; for the purchase of uniforms, for the compensation of said Commissioner, Assistant Commissioner, and other officers and employees of the Commission in the District of Columbia and elsewhere, for the payment of salaries of officers and employees of the Government employed by or detailed for duty with the Commission, for actual traveling expenses, including travel by air, and for per diem in lieu of actual subsistence at not to exceed \$5 per day: *Provided*, That no Government official or employee detailed for duty with the Commission shall receive a salary in excess of the rate which he has been receiving in the department or branch where regularly employed; for telephone service, purchase or rental of furniture and equipment, stationery and supplies, type-writing, adding, duplicating, and computing machines, their accessories and repairs, books of reference and periodicals, maps, reports, documents, plans, specifications, manuscript, newspapers, and all other appropriate publications, and ice and drinking water for office purposes: *Provided further*, That payment for telephone service, rents, subscriptions to newspapers and periodicals, and other similar purposes, may be made in advance; for the purchase and hire of passenger-carrying automobiles, their maintenance, repair, and operation, for the official use of said Commissioner and Assistant Commissioner in the District of Columbia or elsewhere as required; for printing and binding; for entertainment of distinguished guests; and for all other expenses as may be deemed necessary by the Commission to fulfill properly the purposes of this joint resolution. All purchases, expenditures, and disbursements of any moneys made available by authority of this joint resolution shall be made under the direction of the Commission: *Provided further*, That the Commission, without release of responsibility, as hereinbefore stipulated, may delegate these powers and functions: *Provided further*, That the Commission or its delegated representatives may allot funds appropriated herein to any executive department, independent office, or establishment of the Government with the consent of the heads thereof, for direct expenditure by such executive department, independent office, or establishment under such regulations as the Commission may promulgate, for the purpose of defraying any proper expenditure which may be incurred by such executive department, independent office, or establishment in executing the duties and functions delegated by the Commission. All accounts and vouchers covering expenditures shall be approved by said Commissioner or by such assistants as the Commission may designate except for such allotments as may be made to the various executive departments, independent offices, and establishments for direct expenditure; but these provisions shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit, and permit any obligations to be incurred in excess of the amount authorized to be appropriated herein: *And provided further*, That in the construction of buildings and exhibits requiring skilled and unskilled labor, the prevailing rate of wages, as provided in the act of March 3, 1931, shall be paid. Subject to the provisions of this joint resolution, the Commission is authorized to make any expenditures or allotments deemed



necessary by it to fulfill properly the purposes of this joint resolution.

SEC. 7. The Commissioner, with the approval of the Commission, may receive contributions from any source to aid in carrying out the purposes of this joint resolution, but such contributions shall be expended and accounted for in the same manner as the funds authorized to be appropriated by this joint resolution. The Commissioner is also authorized to receive contributions of material, or to borrow material or exhibits, and to accept the services of any skilled and unskilled labor that may be available through State or Federal relief organizations, to aid in carrying out the general purposes of this joint resolution. At the close of the world's fair and celebration or when the connection of the Government of the United States therewith ceases the Commissioner shall dispose of any such portion of the material contributed as may be unused, and return such borrowed property; and, under the direction of the Commission, dispose of any buildings or structures which may have been constructed and account therefor: *Provided*, That all disposition of materials, property, buildings, etc., shall be at public sale to the highest bidder, and the proceeds thereof shall be covered into the Treasury of the United States: *Provided further*, That the Commission may, if it deems it desirable and in the public interest, transfer without consideration and title to the Federal Exhibits Building erected or constructed to the city of New York.

SEC. 8. It shall be the duty of the Commission to transmit to Congress, within 6 months after the close of the world's fair, a detailed statement of all expenditures and such other reports as may be deemed proper, which reports shall be prepared and arranged with a view to concise statement and convenient reference. Upon the transmission of such report to Congress the Commission established by and all appointments made under the authority of this joint resolution shall terminate.

With the following committee amendments:

Page 2, line 5, strike out "the Secretary of State."

Line 6, after the word "Agriculture", strike out "and", and after the word "Commerce" insert "the Secretary of Labor, three Members of the House to be appointed by the Speaker of the House of Representatives, and three Members of the Senate to be appointed by the President of the Senate."

Line 21, strike out "one Assistant Commissioner" and insert in lieu thereof "two Assistant Commissioners not of the same political party."

Page 3, line 6, strike out the word "Commissioner" and insert "Commissioners."

Page 4, line 13, strike out "Commissioner" and insert "Commissioners."

Page 6, line 15, strike out "The Commission may contract with the New York World's Fair 1939, Inc., or otherwise for the designing and erection of such building or buildings, structure or structures, improvement or improvements, the rental of such space, and for such other services as shall be deemed necessary and proper."

Page 7, line 7, strike out "Commissioner" and insert "Commissioners."

Page 8, line 4, strike out "Commissioner" and insert "Commissioners."

Mr. FISH. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I am sure the resolution offered by the handsome, persuasive, and able gentleman from New York [Mr. MERRITT] will have the support of all the Members of the House. I recollect, however, that the President vetoed a former measure carrying \$5,000,000, and one of the reasons given was the fact that the Congress of the United States had encroached upon the powers of the Executive. It is a case of the pot calling the kettle black. In other words, we had written our own legislation and we had put something in it that the President did not like. The so-called rubber-stamp Members of Congress had all of a sudden become iron men and had decided for once to write their own legislation, and that evidently displeased the Chief Executive.

Mr. Speaker, I want to say that this legislation as written is far from acceptable to me. The President claimed that the appropriation previously carried of \$5,000,000 was excessive, and gave that as an additional reason for his veto. His contention is not based on facts, and amounts to false economy. This fair will bring in three or four times as much in Federal taxes as the \$3,000,000 appropriation carried in the present resolution. The \$3,000,000 is not sufficient to carry out the purposes of the world's fair at New York, which will be the greatest world's fair in all history. We will have to come back to Congress and, mark my words, ask for \$2,000,000 additionally if we are to carry out our obligations made to erect the buildings of foreign nations on the fairgrounds in New York. This is not an ordinary exposition. This fair will so transcend any other world's fair in

history that no real comparison can be made. We will spend at least \$130,000,000. No other fair on record has spent over \$30,000,000. We expect 50,000,000 people, Republicans and Democrats alike, to visit the fair.

Furthermore, we expect that \$1,000,000,000 will be put into circulation, not merely spent but put into circulation and turned over a number of times, which will help to stimulate prosperity throughout the United States. The fair will employ a large number of people, not only on the fair grounds proper but in the handling of exhibits and for the material that goes into the exhibits, the development of the grounds, and the erection of the buildings. It has been estimated as high as 200,000 on a temporary basis and 50,000 during the duration of the fair.

This is no new venture. Thirty-five years ago on the floor of the House of Representatives 4 hours were allotted in which to determine where the world's fair, which then went to Chicago, should be located. New York claimed the fair at that time. Each of the following cities, St. Louis, Chicago, New York, and Washington, had Representatives on the floor of the House who spoke for 1 hour in favor of locating that world's fair in one of these four cities. New York failed to get the fair at that time, and since then Chicago has had another, San Francisco is about to have a second, St. Louis received seven millions from the Government for her fair, and we have had none at all and received nothing. The Federal Government donated over five millions to the two Chicago fairs.

The reason New York failed to get the fair at that time is that Thomas C. Platt, the Republican boss of New York State, decided the commission for the world's fair in New York City should be packed with Republicans. It so happened, and I am proud to state it as long as we have this matter before us, that my father was then the Republican leader in the Assembly of New York State.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I ask unanimous consent to proceed for 3 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. I am proud of the fact that my father refused to go along with this plan to pack the commission which the boss, Mr. Platt, wanted. The result was that my father put through in the New York Legislature a commission composed of Democrats and Republicans alike, members of Tammany Hall, independent Democrats, and Platt and anti-Platt Republicans, with a majority, however, of Republicans. The fight became so bitter—to show that this was a real issue 35 years ago—that my father, the Republican leader of the assembly, and Fred Gibbs, who afterward was Republican national committeeman, were read out of the party by the Republican State committee because they would not go along at the dictation of Mr. Platt and pack the world's fair commission and make it a political and partisan agency.

I am pleased to state to the Democratic Members of the House that this New York World's Fair resolution as about to be passed provides for minority representation. It provides for three Members from the House of Representatives and three from the Senate. Three members are to be appointed by the Speaker and three by the President pro tempore of the Senate, and naturally one of each will be a Republican. The bill also provides there shall be two assistant commissioners with salaries of \$7,500, but they must not belong to the same party. Therefore we will have minority representation, and as long as we have minority representation you can rest assured that this money will be honestly and efficiently spent and the Commission will carry out the wishes of the Members of the House, whether Republican or Democratic, to make the New York World's Fair the greatest and best ever undertaken. It will be a credit to the Federal Government, whose constitutional establishment by the inauguration of President Washington at New York City will be commemorated on its one hundred and fiftieth anniversary in 1939.



Above all, I want it understood that reducing the amount to \$3,000,000 is false economy. The amount should be \$5,000,000. We will be forced to come back for \$2,000,000 more if the fair is carried on another year through 1940, as we expect it will be.

I congratulate the Members of the House on writing and passing this kind of nonpartisan legislation. [Applause.] [Here the gavel fell.]

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MILITARY ESTABLISHMENT APPROPRIATION BILL, 1938

Mr. SNYDER of Pennsylvania. Mr. Speaker, I call up the conference report on the bill (H. R. 6692) making appropriations for the Military Establishment for the fiscal year ending June 30, 1938, and for other purposes, and ask unanimous consent that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania that the statement may be read in lieu of the report?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6692) making appropriations for the Military Establishment for the fiscal year ending June 30, 1938, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 7, 8, 17, 22, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, and 78.

That the House recede from its disagreement to the amendments of the Senate numbered 9, 10, 14, 18, 20, 25, 27, 30, 31, 42, and 46, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "three hundred and fifty"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "\$34,532,895"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$6,386,560"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$6,181,985"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$161,826,124"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$2,463,350"; and on page 15 of the bill, in line 7, after the comma following the word "camps", insert the word "and"; and on page 15 of the bill, commencing in line 8, strike out "the United States High Commissioner to the Philippine Islands, the United States Soldiers' Home, the nonmilitary activities of the Corps of Engineers, and the Panama Canal,"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows: "Provided, That laundry charges, other than for service now rendered without charge, shall be so adjusted that earnings in conjunction with the value placed upon service rendered without charge shall aggregate an amount not less than \$50,000 below the cost of maintaining and operating laundries and drycleaning plants"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "work authorized by the Act approved May 6, 1937, at Fort Niagara, New York, \$54,000; for work authorized by the Act approved May 14,

1937, at Camp Stanley, Texas, \$578,050; for"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$9,388,050"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$58,618,406"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$19,126,894"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "That the subappropriation for expenses, camps of instruction, and so forth, may be increased not to exceed \$625,000 by transfer from other sums appropriated in this Act under the heading 'National Guard', exclusive of pay for armory drills."; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$9,837,883"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$4,119,570"; and the Senate agree to the same.

The committee of conference report in disagreement amendments nos. 2, 5, 16, 24, 26, and 79.

Amendments nos. 1, 47 to 77, inclusive, and 80, and the title of bill are reported in disagreement, as they were not considered by conferees.

J. BUELL SNYDER,  
D. D. TERRY,  
JOE STARNES,  
ROSS A. COLLINS,  
CLARENCE CANNON,  
D. LANE POWERS,  
ALBERT J. ENGEL,

#### Managers on the part of the House.

ROYAL S. COPELAND,  
CARL HAYDEN,  
ELMER THOMAS,  
JOHN H. OVERTON,  
MORRIS SHEPPARD,  
JOHN G. TOWNSEND, Jr.,  
WARREN R. AUSTIN,

#### Managers on the part of the Senate.

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6692) making appropriations for the Military Establishment for the fiscal year ending June 30, 1938, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

On amendments nos. 3, 4, and 6 to 14, both inclusive, relating to "Pay, etc., of the Army": Appropriates \$34,532,895 for pay of 12,350 commissioned officers instead of \$34,329,995 for pay of 12,175 commissioned officers, as proposed by the House, and \$34,843,745 for pay of 12,653 commissioned officers, as proposed by the Senate; limits the number of medical officers to be in a flying pay status to 5, as proposed by the House, instead of 36, as proposed by the Senate; limits expenditures for flying pay of officers to \$2,270,900, as proposed by the House, instead of \$2,398,304, as proposed by the Senate; appropriates for pay of enlisted men \$67,042,594, as proposed by the House, instead of \$67,798,594, as proposed by the Senate; provides for the employment of 12 instead of 11 retired officers on active duty, as proposed by the Senate; adds \$74,164 for rental and subsistence allowance of officers because of additional 175 officers agreed upon, instead of \$145,893, added by the Senate; and excepts Filipinos in Army transport service from proviso prohibiting employment of aliens, as proposed by the Senate.

On amendment no. 15: Appropriates for travel of the Army \$2,463,350, instead of \$2,250,000 as proposed by the House and \$2,486,150 as proposed by the Senate.

On amendment no. 17: Appropriates for subsistence of the Army \$29,329,150, as proposed by the House, instead of \$29,601,900, as proposed by the Senate.

On amendments nos. 18 and 19, relating to clothing and equipment: Appropriates \$11,901,320, as proposed by the Senate, instead of \$11,851,320, as proposed by the House, and restores the proviso designed to make laundries and dry-cleaning plants self-sustaining, excepting, however, from being assessed against



laundry users \$50,000 approved by the House and Senate for increasing the pay of laundry employees in low-wage brackets.

On amendment no. 20: Increases from \$819,520 to \$829,520, as proposed by the Senate, the amount that might be expended from the appropriation "Army transportation, 1937", for the purchase or construction of vessels.

On amendments nos. 21, 22, and 23, relating to military posts: Appropriates, as proposed by the Senate, \$54,000 for authorized work at Fort Niagara, N. Y., and \$578,050 for authorized work at Camp Stanley, Tex.; appropriates \$338,000 for authorized work at Langley Field, Va., as proposed by the House, instead of \$258,000, as proposed by the Senate, and strikes out the appropriations proposed by the Senate of \$854,000 and \$861,190 for authorized work at Edgewood Arsenal, Md., and Savanna Ordnance Depot, Ill., respectively.

On amendment no. 25: Appropriates \$952,000 for acquisition of land, as proposed by the Senate, instead of \$1,202,000, as proposed by the House.

On amendment no. 27: Appropriates for Signal Service of the Army \$5,894,520, as proposed by the Senate, instead of \$5,702,920, as proposed by the House.

On amendments nos. 28 and 29, relating to the Air Corps: Appropriates \$58,618,406 instead of \$60,500,000 as proposed by the House and \$57,745,300 as proposed by the Senate, and fixes the maximum of contractual authority at \$19,126,894, instead of \$17,245,300, as proposed by the House, and \$20,000,000, as proposed by the Senate.

On amendments nos. 30 and 31: Strikes out, as proposed by the Senate, the reappropriation of \$144,000 proposed by the House under Ordnance Service and Supplies, Army.

On amendments nos. 32, 33, 34, and 35, relating to the Chemical Warfare Service: Restores the title and text to the title and text proposed by the House.

On amendments nos. 36 to 41, both inclusive, relating to sea-coast defenses: Appropriates \$800,000 specifically for the procurement of mobile antiaircraft guns and mounts, as proposed by the House, instead of \$400,000, as proposed by the Senate.

On amendments nos. 42 and 43, relating to the National Guard: Includes motorcycles among procurable equipment, as proposed by the Senate; permits employment of additional \$625,000 for expenses, camps of instruction, to be transferred from subappropriations for other National Guard expenses, except the subappropriation for armory drills, as proposed by the Senate, and strikes out the provision proposed by the Senate making the National Guard subappropriation "Arms, uniforms, equipment, and so forth, for field service, National Guard", available for extending the concurrent camp at Fort Sill, Okla.

On amendment no. 44: Appropriates \$9,837,883 for the Organized Reserves, instead of \$10,397,906 as proposed by the House and \$9,355,506 as proposed by the Senate.

On amendment no. 45: Appropriates \$4,119,570 for the Reserve Officers' Training Corps, instead of \$3,601,720 as proposed by the House and \$4,219,570 as proposed by the Senate.

On amendment no. 46: Appropriates \$645,726 for the National Board for Promotion of Rifle Practice, Army, as proposed by the Senate, instead of \$700,000, as proposed by the House.

On amendment no. 78: Allows a section number to remain as proposed by the House.

*Amendments reported in disagreement in consequence of clause 2 of rule XXI*

The committee of conference report in disagreement the following amendments of the Senate:

Amendment no. 2: Clothing the Secretary of War with exclusive discretion as to the propriety of expenditures under the appropriation "Contingencies of the Army."

Amendment no. 5: Increasing the authorized number of officers of the Medical Corps and Dental Corps.

Amendment no. 16: Prescribing the annual appropriation chargeable with traveling expenses incurred under change-of-station orders.

Amendments nos. 24 and 26: Relating to the acquisition of land in the vicinity of Mitchel Field, N. Y., and West Point, N. Y., respectively.

Amendment no. 79: Relating to the conduct, operation, or management of post exchanges.

*Amendments reported in disagreement in consequence of instructions of House*

Amendments nos. 1, 47 to 77, both inclusive, and 80, and the proposal of the Senate to amend the title of the bill, were not considered by the committee of conference pursuant to instructions of the House to its managers.

J. BUELL SNYDER,  
D. D. TERRY  
JOE STARNES,  
ROSS A. COLLINS,  
CLARENCE CANNON,  
D. LANE POWERS,  
ALBERT J. ENGEL.

*Managers on the part of the House.*

Mr. SNYDER of Pennsylvania. Mr. Speaker, we have presented a complete agreement as to all items having a place in the War Department appropriation bill under the arrangement initiated by the House to divorce from such bill items of a civil character which are administered by the War Department.

We have been assured that the War Department civil functions appropriation bill will be reported to the Senate as a separate measure, and that the Senate will be asked to recede from its amendments to the pending bill looking to continuing a single War Department bill consisting of a military and a nonmilitary title. Therefore we may be reasonably sure, if this conference report be adopted and disposition is made in accordance with the recommendations we shall make as to the six amendments we were required to report in disagreement because of our rules, that the War Department appropriation bill will be quickly sped on its way for Executive approval.

Mr. Speaker, the Senate added to our bill \$1,058,863. It made additions of \$5,540,237 and it made reductions of \$4,481,374, resulting in the net increase I have stated.

The major propositions contributing to the gross Senate increase are these: The addition of 478 commissioned officers—50 Medical, 25 Dental, 228 Air Corps, and 175 other branches—primarily to permit of the establishment of additional R. O. T. C. units. This proposition meant an addition of \$1,345,197, and would not be the full cost because it would not be practicable immediately to commission that number of additional officers.

On this proposition we compromised on 175 additional Regular Army officers and 100 additional Air Corps Reserve officers to be employed on continuous active duty. The regular officers are to be assigned—50 to the Medical Corps and 25 to the Dental Corps, as proposed by the Senate, and 100 to other branches, with view to making available officers necessary to the establishment of 51 or 52 additional R. O. T. C. units, which the Department was authorized to establish the present year, but which it could not do because of insufficient officers. The 100 Air Corps Reserve officers will increase the number to 650, or 350 more than are on continuous active-duty detail the present year. Our compromise results in a reduction of \$333,163.

The next proposition involves Regular Army enlisted men. The House bill carried an amount sufficient to pay an average of 162,000 enlisted men. Our thought was that there may be as many at times as 165,000 or more men in the service during the next fiscal year, and a considerably lesser number at other times, so that the average probably would not exceed 162,000. It is next to impossible to maintain a constant number. The Senate felt that the money should be available in the event the maximum average number of 165,000 should be maintained, and added \$1,028,750 for that reason. The Senate receded from its position on this matter.

For construction at military posts the Senate added to our bill \$2,347,240, all for authorized projects, but none with Budget support except the Edgewood Arsenal project, which the House already had refused.

We have agreed upon two projects—one at Fort Niagara, N. Y., to replace buildings destroyed by fire, and another at Camp Stanley, Tex., toward providing modern and adequate ammunition storage facilities. Members of the War Department subcommittee inspected that establishment in the late summer of 1935 and were impressed with the need for early remedial measures, and so stated in the report of the inspections which they made. Therefore, from its increase of \$2,347,240, the Senate has receded from \$1,715,190.

While a relatively small amount, the Senate added \$281,000 to our bill for the acquisition of land at West Point. It also added contractual authority up to \$638,000, so that, including the sum previously appropriated, the bill, including the contractual authority, exhausts the authorization of \$1,500,000 for expanding the land area of the Military Academy reservation.

I shall later submit a recommendation to agree to the Senate amendment with an amendment repealing existing authority to purchase parcels of land on the easterly side of the area at present authorized to be acquired. This is highly valuable property and such repeal no doubt will result in a saving of several hundred thousand dollars.

Next, the Senate cut in two the \$800,000 provided by the House for the procurement of mobile antiaircraft guns and



mounts for assignment to seacoast defenses in the United States, Panama, and Hawaii. We persuaded them to yield on this proposition. We are woefully lacking in this sort of equipment.

An item in which the Members of the House are greatly interested is giving training for 1 year to Reserve officers under the provisions of the so-called Thomason Act. That act authorized 1,000 Reserve officers to be employed on active duty with the Regular Army for 1 year, and the commissioning of 50 of such officers in the Regular Army after such period of active service after competitive tests. The House provided for full compliance and the Senate provided for only 500. The closing date for applications for this assignment occurred just a few days ago and the number was approximately 800. Our information is that of this number not more than 600 will qualify. We have agreed upon making provision for 650 to be on the safe side. This solution permits of a reduction in the amount proposed by the House of \$460,023.

These are the major matters we had before us. Partly to offset its increases, the Senate proposed the following reductions or methods:

Acquisition of land at Mitchel Field: Substitute contract authorization for direct appropriation.....	\$250,000
Air Corps: Substitute contract authorization for direct appropriation.....	2,754,700
Seacoast defenses, mobile antiaircraft guns: Allow half of House proposal.....	400,000
Reserve officers under Thomason Act: Make provision for one-half compliance.....	942,400

The Mitchel Field change we have permitted to stand. The seacoast defense and Thomason Act proposals I have already explained. As to the Air Corps, we have reduced the increase under contractual authority by \$873,106 and have put that amount back into the direct appropriation.

Mr. Speaker, this bill as it passed the House carried appropriations totaling \$415,751,531.

That sum was \$734,930 below the Budget estimates.

As we bring it to you from conference, the bill carries a total of \$415,269,154.

This sum is \$482,377 less than the bill carried when it left the House and is less than the Budget estimates by \$1,217,307.

If we charge in the one item of reappropriation, we are still below the Budget \$699,457.

The bill carries in contract authorizations \$21,887,394, or \$873,106 less than it did as it passed the Senate. These have no relation, however, to the appropriations for the fiscal year for which we are appropriating.

Mr. POWERS. Mr. Speaker, will the gentleman yield?

Mr. SNYDER of Pennsylvania. I am pleased to yield to the senior minority member of the subcommittee on the War Department, the gentleman from New Jersey [Mr. POWERS].

Mr. POWERS. The gentleman stated in his presentation that the bill carries in contract authorizations \$21,887,394, or \$873,106 less than it carried as it passed the Senate. I want the RECORD to show the contract authorization in the bill as it left the House was \$18,347,800.

Mr. SNYDER of Pennsylvania. The gentleman is correct.

Mr. WILCOX. Mr. Speaker, will the gentleman yield?

Mr. SNYDER of Pennsylvania. I yield to the gentleman from Florida.

Mr. WILCOX. I am interested in amendment no. 28, and I note from the conference report that the general appropriation for the Air Corps was reduced by the conference committee from \$60,500,000, as provided by the House, to \$58,618,406, or approximately a reduction of \$2,000,000. I am informed by the Air Corps that under the appropriation as agreed to by the conference committee the Air Corps will be short 276 Regular officers and 104 Reserve officers, necessary to actually man the planes now under contract by the War Department. I would like to know of the gentleman whether this is true or not.

Mr. SNYDER of Pennsylvania. In the first place, let me say to the gentleman that the amendment to which he re-

fers has nothing at all to do with officer money; it is all for matériel.

Mr. WILCOX. Oh, no; I am speaking now of the general appropriation. I am not speaking of the contract authorization.

Mr. SNYDER of Pennsylvania. But the amount the gentleman has referred to has to do with matériel and not with personnel.

Mr. WILCOX. Does the gentleman mean to tell me that the amount of \$58,618,406 is entirely for matériel and not for personnel of the Air Corps?

Mr. SNYDER of Pennsylvania. Absolutely so, except civil employees.

Mr. WILCOX. Then at what point in the appropriation bill is the appropriation for the personnel of the Air Corps, and what reduction was made in that amount which makes it necessary for the Air Corps to be short 380 officers necessary to man the planes under contract?

Mr. SNYDER of Pennsylvania. That all comes under pay of the Regular Army and under pay of the Organized Reserves.

Mr. WILCOX. Did the conference committee agree upon a reduction in the appropriation for personnel?

Mr. SNYDER of Pennsylvania. We are providing for about 400 more air officers for the coming year than they have this year.

Mr. WILCOX. Did the conference committee agree to a reduction in the amount of the appropriation for personnel as it passed the House?

Mr. SNYDER of Pennsylvania. No; not as it passed the House; as it passed the Senate, yes.

Mr. WILCOX. Is there any reduction in the amount appropriated for officer personnel for the Air Corps now below the amount provided in the bill at the time it passed the House?

Mr. SNYDER of Pennsylvania. No; there is an increase, I may say to the gentleman.

Mr. HILL of Alabama. Mr. Speaker, will the gentleman yield?

Mr. SNYDER of Pennsylvania. I yield.

Mr. HILL of Alabama. Will the gentleman, briefly and succinctly, summarize what was done with reference to additional officers for the Army, not only for the Air Corps but for the ground troops, and also what was done from the standpoint of Regular officers and from the standpoint of Reserve officers on active duty?

Mr. SNYDER of Pennsylvania. I shall be pleased to do that.

The Senate made provision for 478 additional Regular Army officers. We compromised on 175 additional Regular Army officers and 100 additional Air Corps Reserve officers, to be employed on continuous active duty. The Regular officers are to be assigned—50 to the Medical Corps and 25 to the Dental Corps—as proposed by the Senate, and 100 to other branches of the service, with the view to making available officers necessary to the establishment of 51 or 52 R. O. T. C. units.

Mr. HILL of Alabama. Then, as I understand it, there will be 25 additional officers for the Dental Corps?

Mr. SNYDER of Pennsylvania. That is correct.

Mr. HILL of Alabama. And 50 additional officers for the Medical Corps and 100 additional officers to be used with R. O. T. C. units?

Mr. SNYDER of Pennsylvania. That is right, and 100 additional officers of the Air Corps Reserve.

Mr. HILL of Alabama. They are not to be Regular officers?

Mr. SNYDER of Pennsylvania. No.

Mr. HILL of Alabama. They are to be Reserve officers?

Mr. SNYDER of Pennsylvania. Yes.

Mr. HILL of Alabama. For how long a tour of duty?

Mr. SNYDER of Pennsylvania. Five years.

Mr. HILL of Alabama. How many Reserve officers will the additional 100 officers make on duty with the Air Corps during the coming fiscal year?



Mr. SNYDER of Pennsylvania. Six hundred and fifty.

Mr. HILL of Alabama. Looking to a 5-year tour of duty?

Mr. SNYDER of Pennsylvania. A 5-year tour; yes.

Mr. HILL of Alabama. With respect to the additional 100 officers for the Air Corps, inasmuch as the War Department reports it has not had an unusual number of applications for duty as commissary officers, I am wondering if the Air Corps is faced with any difficulty in getting Reserve officers.

Mr. SNYDER of Pennsylvania. Mr. Speaker, as the gentleman from Alabama [Mr. HILL] knows, we are working toward a goal of 1,350 Air Corps Reserve officers to be on continuous active duty. I just said that we will have 650 during the next fiscal year. So far as I am aware, there has been no testimony that difficulty may be experienced in getting the men of the right type to fill these places.

Mr. HILL of Alabama. The gentleman means these Reserve officers?

Mr. SNYDER of Pennsylvania. Yes.

Mr. HILL of Alabama. I am wondering whether or not the Air Corps could get this additional number of Reserve officers for active duty of the type and character they would want?

Mr. SNYDER of Pennsylvania. From inquiries I have made I am inclined to believe that they can.

Mr. HILL of Alabama. Frankly, I say to the gentleman I think it would have been perhaps wiser to have given at least some of the additional 100 Regular officers to the Air Corps, and, if need be, put some of the Reserve officers on some of these R. O. T. C. units.

Mr. SNYDER of Pennsylvania. Of course, we can get 50 more Regular Air Corps under the Thomason Act.

Mr. HILL of Alabama. Provided you took all of your Thomason officers from the Air Corps.

Mr. SNYDER of Pennsylvania. That was done in 1936.

Mr. HILL of Alabama. You did it last year because you had not had 1,000 young men on active duty, all of these young men having been given hope of getting a Regular commission, these young men being in all the different branches. You could not now, under the present circumstances, take away all those 50 commissions and give those 50 commissions to officers for the Air Corps without doing a great injustice and really breaking an obligation to all of these other officers out of the thousand who are in the ground forces. In that connection, this question of getting Reserve officers for the Air Corps naturally leads into the matter of the Thomason officers. My understanding is that the reason you accept a reduction from 1,000 Thomason officers to 650 is because the War Department reported that it had only 800 applications for the 1,000 places.

Mr. SNYDER of Pennsylvania. Yes.

Mr. HILL of Alabama. So it would seem to me if they had trouble in getting these Thomason officers where they can go and get them from the Infantry and the Signal Corps and the Intelligence and all of these branches, the chances are that you would not get the type you wanted from these 100 places for the Air Corps. Let me ask the gentleman another question. I notice that the amendment numbered 25 appropriates \$952,000 for acquisition of land, as proposed by the Senate, instead of \$1,200,000 as proposed by the House. Will the gentleman advise the House as to what land is involved in those appropriations?

Mr. SNYDER of Pennsylvania. The War Department asked for additional land at Mitchel Field, because, when Mitchel Field was established, being one of the first fields on Long Island, it was built to take care of small planes, for which a runway of 2,000 feet was ample. Now the runways must be around 5,000 feet for some of these large bombers.

Mr. HILL of Alabama. The gentleman is speaking with reference to amendment numbered 25. I notice that on page 6 of the printed report amendments numbered 24 and 26 deal with Mitchel Field as well as with West Point. Do all three of those amendments deal with Mitchel Field?

Mr. SNYDER of Pennsylvania. Amendment no. 25 relates to Mitchel Field alone.

Mr. HILL of Alabama. Do 24 and 26 relate to Mitchel Field?

Mr. SNYDER of Pennsylvania. Twenty-four does, but 26 does not.

Mr. HILL of Alabama. The report on its face does not show in respect to those two amendments. Will the gentleman give us the picture as to those two amendments?

Mr. SNYDER of Pennsylvania. Twenty-five applies to a transfer from direct appropriation to contract authorization of \$250,000.

Mr. HILL of Alabama. Will the gentleman tell us how much cash is made available and how much contract authorizations is made available for Mitchel Field?

Mr. SNYDER of Pennsylvania. Five hundred thousand dollars cash and \$1,020,000 contract authorization.

Mr. HILL of Alabama. For Mitchel Field?

Mr. SNYDER of Pennsylvania. Yes.

Mr. HILL of Alabama. How much did the House carry for that?

Mr. SNYDER of Pennsylvania. Seven hundred and fifty thousand dollars.

Mr. HILL of Alabama. Which was cash alone?

Mr. SNYDER of Pennsylvania. Yes.

Mr. HILL of Alabama. And carried no contract authorization?

Mr. SNYDER of Pennsylvania. No.

Mr. HILL of Alabama. Will the gentleman give us the same picture with reference to West Point?

Mr. SNYDER of Pennsylvania. We carried \$150,000, to be used in conjunction with a prior appropriation of \$431,000 for the acquisition of a certain defined area.

Mr. HILL of Alabama. No contract authorization?

Mr. SNYDER of Pennsylvania. No contract authorization; \$150,000 in cash.

Mr. HILL of Alabama. The gentleman means that much in cash?

Mr. SNYDER of Pennsylvania. Yes.

Mr. HILL of Alabama. What does the conference report carry?

Mr. SNYDER of Pennsylvania. The Senate bill carried \$431,000 by way of appropriation and \$638,000 by way of contract authorization. The conference report contemplates concurrence in the Senate action in these respects.

Mr. HILL of Alabama. I am interested in noting that some of these amendments with reference to Mitchel Field and West Point are carried in disagreement under clause 2 of rule XXI. I suppose that is the contract feature?

Mr. SNYDER of Pennsylvania. The gentleman is correct.

Mr. HILL of Alabama. Because a contracting provision is not an appropriation?

Mr. SNYDER of Pennsylvania. That is correct.

Mr. HILL of Alabama. So far as the Chemical Warfare Service is concerned, it is left as it was?

Mr. SNYDER of Pennsylvania. Yes.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. SNYDER of Pennsylvania. Yes.

Mr. JENKINS of Ohio. The gentleman has made no comment with reference to the appropriation for flood control. Did the conferees finally dispose of that matter?

Mr. SNYDER of Pennsylvania. Under the instructions of the House we were not permitted to agree to amendments numbered 1, 47 to 77, and 80. We had such instructions from the House. We have reason to believe that the Senate will pass the separate bill, which the House passed, containing the matters encompassed by such amendments, which include, among others, appropriations for flood control.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. SNYDER of Pennsylvania. I yield.

Mr. JENKINS of Ohio. Then, as I understand, this report only applies to the War Department appropriation bill?

Mr. SNYDER of Pennsylvania. Absolutely.

Mr. JENKINS of Ohio. It has nothing to do with the other appropriation bill that was a companion bill to the regular War Department appropriation bill?

Mr. SNYDER of Pennsylvania. Nothing at all to do with it. I am glad to say to the gentleman from Ohio that I think we shall be able to bring back a report with which he will be pleased.



Mr. JENKINS of Ohio. Not to violate any confidence, how does the gentleman come to that conclusion?

Mr. SNYDER of Pennsylvania. That is just an opinion of my own, not without foundation.

Mr. JENKINS of Ohio. Is this the fact, that the Senate has practically receded from their determination to combine the two bills?

Mr. SNYDER of Pennsylvania. The Senate itself has not finally passed upon the matter. We have reason to believe that the Senate Appropriations Committee will make such a recommendation to the Senate.

Mr. JENKINS of Ohio. That they recede from that position?

Mr. SNYDER of Pennsylvania. Yes.

Mr. JENKINS of Ohio. That is the prospect?

Mr. SNYDER of Pennsylvania. That is the prospect.

Mr. THOMASON of Texas. Mr. Speaker, will the gentleman yield?

Mr. SNYDER of Pennsylvania. I yield.

Mr. THOMASON of Texas. I am naturally interested in the statement the gentleman makes about the reduction of the young Reserve officers from 1,000 to 650.

Mr. SNYDER of Pennsylvania. May I say to the gentleman right there that we should keep in mind that the House complied with the terms of the law 100 percent? It was the Senate that proposed the reduction.

Mr. THOMASON of Texas. Of course, I regret that the conferees did not stand pat on 100 percent, because I think that is one of the finest activities the War Department has carried on, as it has provided us with a year's training for 1,000 young military men in the country, as well as providing 50 officers each year.

Mr. SNYDER of Pennsylvania. We went along 100 percent as far as we could get any assurance from the sources where we look for assurance, that trainees would be available.

Mr. THOMASON of Texas. I am glad to know that the House committee is committed to the policy involved in that act.

I want to ask the distinguished chairman this question: Now that you propose to reduce that from 1,000 young officers to 650, does it still mean that 50 of the 650 will receive their permanent commissions just the same?

Mr. SNYDER of Pennsylvania. Yes; it does, I am happy to say.

Mr. THOMASON of Texas. One other question, please. Will the gentleman be kind enough to explain the effect of the proviso put on the post-exchange amendment offered by the distinguished Senator from Oklahoma relative to the operation of post exchanges and the indiscriminate selling of all kinds of merchandise in competition with local merchants?

Mr. SNYDER of Pennsylvania. I shall be pleased to discuss that when we take that amendment up separately.

Mr. ALLEN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. SNYDER of Pennsylvania. I yield.

Mr. ALLEN of Illinois. In regard to sections 21, 22, and 23 at the Savanna Ordnance Depot, Ill., a great emergency exists out there for the storage of ammunition and things in general under the Ordnance Department. What I would like to know is the justification for taking that out of the bill. The Secretary of War, the Chief of Ordnance, the chairman of the Military Affairs Committee, all say that a great emergency exists out there for the storage of ammunition. The Bureau of the Budget also authorized it. Will the gentleman kindly explain why it was taken out?

Mr. SNYDER of Pennsylvania. Yes. I may say to my colleague that there was no Budget estimate whatever for the proposition he has mentioned. There was no Budget support for the item whatever.

Mr. ALLEN of Illinois. That is merely the reason why it was taken out?

Mr. SNYDER of Pennsylvania. Primarily. Furthermore, the committee had no knowledge of its place on the War

Department's priority list of matters or projects awaiting appropriation.

Mr. ALLEN of Illinois. That passed the Military Affairs Committee unanimously and was authorized by the House.

Mr. SNYDER of Pennsylvania. I may say to the gentleman that I know how he feels about it, but there are 30 or 40 other posts in the same shape as the one to which the gentleman refers. There is about equal pressure from every angle to have something done about every other post.

Mr. ALLEN of Illinois. Was there a Budget estimate at Fort Niagara?

Mr. SNYDER of Pennsylvania. No; there was no Budget estimate; but there is an emergency situation there caused by fire.

Mr. ALLEN of Illinois. Is the gentleman acquainted with the Ordnance Depot at Savanna, Ill.?

Mr. SNYDER of Pennsylvania. I am not, I am sorry to say.

Mr. COLE of Maryland. Mr. Speaker, will the gentleman yield?

Mr. SNYDER of Pennsylvania. I yield.

Mr. COLE of Maryland. I would like to ask the gentleman a question along the same line.

Mr. SNYDER of Pennsylvania. Yes.

Mr. COLE of Maryland. The gentleman stated with reference to the Savanna ordnance depot that there was no Budget estimate. I would like to know why the gentleman disagrees with the Senate in striking out Edgewood Arsenal, for which there was Budget approval, as distinguished from Camp Stanley and some of these others which I understand had no Budget approval? The only items directly authorized by this Congress were eliminated.

Mr. SNYDER of Pennsylvania. I may say for the same reason we had when we did not include the item in the bill when it passed the House, which was, in the main, that after the committee looked over the situation at Edgewood Arsenal—we are not saying we are 100 percent right—we decided that it would be unwise to build these additional buildings so close to the munitions plant, and that further study should be given to this situation before anything was done.

Mr. COLE of Maryland. Knowing the situation as I do, I am surprised that those reasons had any weight with the Senate conferees.

Mr. McCORMACK. My understanding, in response to the question of the gentleman from Ohio [Mr. JENKINS] is that this confines itself to the military aspects of the War Department appropriation.

Mr. SNYDER of Pennsylvania. I am glad to state to the distinguished gentleman from Massachusetts that it does.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield further?

Mr. SNYDER of Pennsylvania. I yield.

Mr. McCORMACK. I simply want to make a brief observation. I was presiding over the War Department appropriation bill, both aspects of it, and I listened with deep interest, as did all Members, to the very fine, and properly so, complimentary references made by the chairman of the subcommittee to the other members of the subcommittee, both Democratic and Republican, and to the distinguished clerk of the subcommittee, John Pugh, with all of which references the Members on both sides of the aisle agree. It is my desire to make a brief reference to the distinguished gentleman from Pennsylvania [Mr. SNYDER]. This is his first year as chairman of the Subcommittee on Appropriations for the War Department. I presided over the bill, as I have stated. I want to state for the Record that I have never seen any bill more admirably handled than were the appropriation bills of the War Department by the chairman of the subcommittee. It was a pleasure to see all the members of the subcommittee, both Democrats and Republicans, backing up the chairman of their subcommittee on the floor and manifesting deep interest in fighting for the report of the subcommittee. It is a fine spirit to see. It is a nice thing to see a committee, no matter what their differences may



be in executive session, when they have ironed them out, come on the floor and battle for the report of the committee. It is evidence of fine leadership on the part of the chairman of any committee or subcommittee when such a situation exists. It is an inspiration and example to the other committees of the House. I congratulate the members of this subcommittee, and particularly do I congratulate the gentleman from Pennsylvania [Mr. SNYDER], chairman of the subcommittee, on the very diplomatic and able manner in which he handled both aspects of the appropriations for the War Department when both bills were in the House. [Applause.]

Mr. SNYDER of Pennsylvania. Mr. Speaker, I yield 1½ minutes to the gentleman from California [Mr. FORD].

Mr. FORD of California. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore (Mr. WOODRUM). Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FORD of California. Mr. Speaker, on Monday, June 28, the distinguished gentleman from Georgia [Mr. Cox] arose in this House and stated that the Secretary of Labor of the United States had suggested to the Governor of Ohio—

That he use the subpoena power of the State to put certain steel-industry officials under duress and to close their plants by the State militia and maintain that status until the C. I. O. had extracted from them such contracts as they might desire.

The gentleman from Georgia described this as "one of the most shocking incidents that has taken place in some time." The distinguished gentleman closed his remarks with this statement:

Mr. Speaker, this is no time for the suspension of public laws, but it is a time for rigid enforcement if this Government is to live.

Now, my friends, I do not know where the gentleman got his information. Probably from the press. Probably he was taking the statement of the Governor of Ohio seriously. Be this as it may, however, the only thing that is wrong with the statement is that, like the comment of Mark Twain upon reading of his own demise, it is greatly exaggerated.

The Secretary of Labor, who has had long years of experience with industrial disputes, happens to be familiar with the laws of the various States that deal with this class of disputes. It so happens that the Ohio Industrial Commission has authority, conferred upon it by section 871-30 of the Ohio General Code, to make inquiry into industrial disputes, and that in order to make this inquiry effective the commission is empowered to issue subpoenas.

The able Secretary of Labor, knowing of this provision in Ohio law, in the most friendly and cooperative manner, suggested to the Governor of the State of Ohio that he call the industrial commission's attention to the power it possessed and call not just the steel officials but all parties to the controversy and ask them to sit around the table and attempt to ascertain if, after hearing both sides, some common ground could not be found to settle the dispute.

I am assured at first hand that no mention was made of calling militia, and knowing the Secretary's well-known aversion to the employing of force as a substitute for reason, am forced to assert that I will accept her word without question.

Now, my friends, I see nothing shocking in the Secretary's suggestion. It was a very natural and, I believe, a very wise suggestion, and I am sure that had the gentleman from Georgia been in possession of the facts, not the garbled newspaper accounts which went to the extreme of asserting that one of the officials was to be legally kidnaped, would not have made the statement he did.

Now, as to the gentleman from Georgia's last paragraph (p. 6423, June 28, RECORD)—

That this is no time for the suspension of public law, but it is a time for its rigid enforcement if this Government is to live—

Let me offer this comment: I fully agree with my distinguished friend, and I most cordially invite his cooperation in the rigid enforcement of the terms of the Wagner Act not only as it applies to organized labor but as it applies to organized, truculent, law-defying employers of labor.

If the Governor of Ohio had followed the Secretary of Labor's friendly and wise suggestion and employed the legal

means at his command, it is entirely within the realms of possibility that a friendly meeting could have been arranged and the differences, if not wholly adjusted, at least brought to a point where the general public would have had something on which to crystallize its opinion as to the facts.

If the Governor of Ohio refuses to utilize the legal means at hand, he is derelict in his duty, and if the citizens of that State, employers and employees, have violated the law, it is the Governor who has shown the way.

I herewith give a brief history of the case which has stirred up all the controversy:

The Federal Steel Mediation Board tried repeatedly to bring the steel and union men together for a joint meeting, but failed. Then it reported:

We cannot but believe that the bitterness and suspicion which separate the two sides would be allayed by a man-to-man discussion around the conference table and that the only hope of settlement lies in such a meeting.

The Ohio Industrial Commission under the authority conferred upon it by section 871-30 has the power to subpoena witnesses to appear at the same time and place for the purpose of testifying in one another's presence in answering questions on the cause of strikes, the facts in the particular case, various opinions held with respect to them and the feasibility of different proposals for settlement. It is believed that out of such testimony and rebuttals understanding and method of settlement would grow naturally, as recommended by the Mediation Board.

The use and meaning of a subpoena is clear and lawful. It is a court order to appear in person and/or with papers and records before a properly constituted judicial or Government agency to give evidence on matters within the jurisdiction of the agency or court and recited in the subpoena.

Its purpose, of course, is to insure the presence and testimony of all witnesses and to give them the protection of the court in matters relating to their testimony. It is a protection to witnesses against legal action and many careful persons will not give important evidence except under subpoena.

Its purpose also is to enable a court or Government agency having jurisdiction to cause opposing witnesses to testify in the presence of each other and so bring about the corrections in factual testimony, and restraints in opinion testimony which are so necessary to calm appraisal of the situation and wise and lawful decisions by the court or agency.

Any individual subpoenaed by a Government agency or competent court has a right of appeal to higher court on the validity of the order or of any penalty for contempt.

It is an ancient, carefully safeguarded, lawful method necessary to the administration of justice and law. It has not been abused. It can only be used by Government under constitutional safeguards of the individual subpoenaed and is not at the disposal of private persons.

The Industrial Commission of Ohio is specifically given by law the power to issue subpoenas for witnesses in the mediation of strikes and industrial disputes and for their prevention—section 871-22, paragraph 9, Ohio General Code. If Mr. Girdler and Mr. Purnell testified in the presence of Mr. Lewis and Mr. Murray, and Mr. Lewis and Mr. Murray in the presence of Mr. Girdler and Mr. Purnell, all might learn something to their advantage about union responsibility, employers' doubts and suspicions, ability and integrity of union leadership, and ability and integrity of industrial direction. Also, both groups might learn something about the state of mind and desires of those workers who are not organized. And having heard each other's testimony and answers under questions and examination, their mental understanding of the situation would almost certainly bring the meeting of minds on some subjects out of which mutual agreements in regard to a settlement might rise.

The Industrial Commission of Ohio may some day have cause to use subpoena to bring in as witnesses members, officers, and leaders of unions who are charged with violation of agreements, breach of the peace, acts against the interest of the industry, go-slow or sit-down movements, misrepresentation, coercion, all of which would require real



investigation by the Industrial Commission of Ohio in order to prevent strikes or lockouts and to keep industry moving and to justice to those under contract, as well as others.

The desirability of settling industrial disputes by reason, not by force, by an orderly process of an authorized public body is obviously very important, and it is the duty of the Government, State, Federal, and local, to facilitate this method. It is also the duty of employers and workers to participate fully in such a method. The Secretary of Labor's suggestion to the Governor of Ohio was that he advise the Ohio Industrial Commission to proceed to make inquiry with regard to this strike under the authority conferred upon it by section 871-30 of the Ohio General Code.

Mr. SNYDER of Pennsylvania. Mr. Speaker, I yield 8 minutes to the gentleman from Iowa [Mr. BIERMANN].

Mr. BIERMANN. Mr. Speaker, I dislike to oppose this committee and my distinguished friend the gentleman from Pennsylvania [Mr. SNYDER]. I know it is futile to oppose any of these Army or Navy appropriations, but I do want to call to the attention of the House some figures that I think are worthy of their thoughtful consideration.

We have been passing "neutrality" legislation to keep us out of war. At the same time we have been passing appropriations that cannot be defended on any ground except that we are going to some foreign country to engage in war. I have directed the attention of the House a number of times to the fact that there is not an Army or Navy officer in this country who will contend for one minute that it is possible to invade this country. The matter of transportation alone is something that every Army or Navy officer knows would prevent this country's being invaded; yet in the fiscal year 1935 we appropriated \$1,000,000,000 for the Army and the Navy; in 1936 we appropriated, roughly, \$1,060,000,000; for the fiscal year 1937 we appropriated

about \$1,035,000,000; and for the fiscal year 1938 we are appropriating more than \$1,100,000,000. During the past 4 fiscal years the War and Navy Departments were allotted more than \$900,000,000 of relief money in addition to the appropriations.

This bill carries an appropriation of \$415,000,000 for the so-called military activities of the War Department. The nonmilitary activities bring the total appropriations for the War Department up to \$609,000,000 for the 1938 fiscal year.

For the year 1904 the total appropriations for all activities of the United States Government were \$464,000,000; for 1905 they were \$467,000,000; for 1906 they were \$489,000,000; for 1907 they were \$549,000,000; for 1908 they were \$555,000,000. I will skip some years. For the year 1916 they were \$678,000,000. Up until 1917 this Government had never appropriated in any single peacetime year as much as \$700,000,000 for the entire running expenses of the Government.

For the past 3 fiscal years we have been appropriating each year more than \$1,000,000,000 for Army and Navy activities, while at the same time we were passing legislation to keep ourselves out of war. The proponents of these huge appropriations cannot defend them on the plea of "defense", because they are confronted with the incontrovertible fact that not an Army or Navy officer will put his name to a statement that it is possible to invade this country.

Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD a table by the Procurement Division of the Treasury Department showing the cost of all the Government buildings in this city occupied for office purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The table referred to follows:

*Land and buildings owned by the United States in the District of Columbia utilized for offices by the executive departments and independent establishments as of June 30, 1936*

Department and agency	Name of building	Cost		
		Land	Improvements	Total
AGRICULTURE				
Weather Bureau	Weather Bureau	\$112,000	\$125,000	\$237,000
COMMERCE				
Bureau of Standards	Bureau of Standards	801,923	3,078,433	3,880,356
INTERIOR				
National Park Service	Executive Mansion		2,550,000	2,550,000
Do	Agriculture, Administration Building		1,974,493	1,974,493
Do	Agriculture, miscellaneous	2,982,457	6,975,000	9,957,457
Do	Agriculture, South Building		10,771,970	10,771,970
Do	Agriculture, economics		222,000	222,000
Do	Archives		11,899,350	11,899,350
Do	Arlington	1,000,000	3,119,072	4,119,072
Do	Commerce	1,318,971	17,165,782	18,484,753
Do	Home Owners' Loan Corporation	1,160,500	18,086	1,178,586
Do	Interior (Old)	303,483	2,587,053	2,890,536
Do	Interior (New)	1,183,333	5,320,358	6,503,691
Do	Internal Revenue	1,210,000	9,950,682	11,160,682
Do	Interstate Commerce	917,892	4,397,347	5,315,239
Do	Justice	5,734,452	10,227,089	15,961,541
Do	Labor	3,600,000	4,709,190	8,309,190
Do	Labor Annex		1,973,910	1,973,910
Do	Munitions		3,000,000	3,000,000
Do	Navy		3,000,000	3,000,000
Do	Old Land Office		3,000,000	3,000,000
Do	Old Southern Ry	2,622,700	1,087,500	3,710,200
Do	Patent Office		8,000,000	8,000,000
Do	Pension Office		900,000	900,000
Do	Post Office (Old)	650,491	2,595,675	3,246,166
Do	Post Office (New)	2,500,872	9,286,447	11,787,319
Do	Procurement	424,445	2,615,100	3,039,545
Do	Public Health	774,884	975,911	1,750,795
Do	State, War, and Navy		10,500,000	10,500,000
Do	Temporary 2		20,300	20,300
Do	Temporary 7			
Do	Temporary E			
Do	Temporary F			
Do	Wilkins	500,000	214,500	714,500
Do	Winder	200,000	398,000	598,000
POST OFFICE				
Fourth Assistant Postmaster General	Post Office (new city)	450,189	6,555,516	7,005,705
Do	Post Office and Customhouse	5,500	88,947	94,447
TREASURY				
Chief Clerk	Treasury Building (annex)	250,000	1,246,360	1,246,360
Do	Treasury Building		8,884,659	8,884,659
Do	Liberty Loan Building		800,378	800,378
Do	Auditors' Building	70,357	1,095,137	1,165,494
Engraving and Printing	Bureau of Engraving and Printing	396,512	2,516,511	2,913,023



Land and buildings owned by the United States in the District of Columbia utilized for offices by the executive departments and independent establishments as of June 30, 1936—Continued

Department and agency	Name of building	Cost		
		Land	Improvements	Total
INDEPENDENT OFFICES				
Architect of the Capitol.....	Senate Office Building.....	\$746,183	\$7,625,791	\$8,371,974
Do.....	Old House Office Building.....	743,636	4,087,286	4,830,922
Do.....	New House Office Building.....	1,336,680	6,277,574	7,614,254
Do.....	Library of Congress.....	578,977	9,352,951	9,931,928
Do.....	Library of Congress (Annex).....	917,802	3,500,000	4,417,802
Do.....	Supreme Court Building.....	1,768,741	9,500,000	11,268,741
Do.....	U. S. Courthouse.....		1,029,000	1,029,000
Do.....	Court of Appeals.....		234,000	234,000
Do.....	U. S. Court of Claims.....	300,000		300,000
Do.....	U. S. Capitol Building and Grounds.....	694,445	17,086,928	17,781,373
Federal Reserve Board.....	Federal Reserve Building.....	754,583	339,000	1,093,583
Government Printing Office.....	Government Printing Office.....		5,260,000	5,260,000
Total.....		37,012,008	228,138,286	265,150,294

Mr. BIERMANN. As will be seen from the table, the cost of the land on which the buildings are erected, the real estate alone, is \$37,012,008; the cost of the buildings themselves amounts to \$228,138,286. This makes a total cost for real estate and improvements owned by the United States in the city of Washington and utilized for offices by our executive departments and independent establishments of \$265,150,294; in other words, we are appropriating this year for the Army of the United States military and nonmilitary activities nearly \$100,000,000 more than twice the cost of all the land and all the buildings occupied by the Government of the United States in the city of Washington. The 1938 appropriations for the War and Navy Departments combined are more than four times the cost of all the land and all the buildings thereon owned by the United States Government and occupied for office purposes in the city of Washington.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. BIERMANN. I yield.

Mr. RANDOLPH. The gentleman does not speak against the nonmilitary appropriations, does he, at this time, but just the military appropriations?

Mr. BIERMANN. I am not acquainted with all the details of the nonmilitary appropriations for the War Department. I think some of them might be classified as military appropriations. The fact of the matter is that the War Department and the Navy Department during the coming fiscal year are going to take out of the taxpayers a good deal over \$1,000,000,000. I do not think these appropriations can be defended.

I call the attention of Members of the House to the fact if we are ever going to balance the Budget of the United States, and if we are ever going to relieve the taxpayers of the United States, we have to make the cuts where the big expenditures are made. The big expenditures are made for the Army and Navy and, of course, temporarily for relief. While the expenditures for relief are declining, the Army and Navy appropriations steadily increase.

The other day I secured figures with reference to the total contribution of the State of Iowa to the Federal Treasury. For the year 1936 the total contribution of the people of Iowa in income taxes, corporation taxes, excise taxes, liquor and tobacco taxes, and all others, to the Federal Government was twelve and one-half million dollars. Compare that twelve and one-half million dollars with the enormous appropriations we make for the Army and Navy and you will see what a burden it is on the taxpayers of the United States. At the present rate the Federal taxes of the people of Iowa for 88 years would not quite pay what our War and Navy Departments will consume in 1938.

May I renew my request to any of the Members who are in favor of these enormous expenditures to insert in the Record the name of a second lieutenant or of an ensign in the Navy who will make a statement and sign his name to it that it is possible to invade the United States?

Mr. WEARIN. Will the gentleman yield?

Mr. BIERMANN. I yield to the gentleman from Iowa.

Mr. WEARIN. The gentleman has mentioned the total amount of the Army and Navy appropriations for 1 year, which, as I understand it, was \$1,100,000,000 plus.

Mr. BIERMANN. Yes.

Mr. WEARIN. That would be more than enough to move the United States Capital out to the central section of the United States where it would be safe from attack?

Mr. BIERMANN. It would be more than four times enough.

[Here the gavel fell.]

Mr. SNYDER of Pennsylvania. Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. BIERMANN) there were—ayes 90, noes 8.

Mr. BIERMANN. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and sixty gentlemen present; not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify the absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 300, nays 42, not voting 89, as follows:

[Roll No. 100]

YEAS—300

Aleshire	Glutt	Duncan	Guy
Allen, Del.	Cochran	Eaton	Gwynne
Allen, La.	Coffee, Nebr.	Eberharter	Haines
Allen, Pa.	Coffee, Wash.	Eckert	Hamilton
Andresen, Minn.	Colden	Elliott	Hancock, N. Y.
Arnold	Colmer	Engel	Hancock, N. C.
Atkinson	Cooley	Engelbright	Harlan
Bacon	Cooper	Evans	Hart
Barden	Costello	Faddis	Harter
Barry	Cox	Farley	Havenner
Bates	Crosby	Ferguson	Healey
Beiter	Crosser	Fish	Hendricks
Bell	Crowe	Fitzgerald	Hennings
Bland	Crowther	Fitzpatrick	Higgins
Bloom	Culkin	Flannagan	Hill, Ala.
Boehne	Cullen	Forand	Hill, Okla.
Boland, Pa.	Cummings	Ford, Calif.	Hobbs
Boyer	Curley	Ford, Miss.	Hoffman
Boykin	Daly	Frey, Pa.	Honeyman
Boylan, N. Y.	Deen	Fries, Ill.	Houston
Bradley	Delaney	Fuller	Imhoff
Brown	Dempsey	Gambrell	Izac
Bulwinkle	DeRouen	Garrett	Jarman
Burch	Dickstein	Gavagan	Jenckes, Ind.
Caldwell	Dies	Gearhart	Jenkins, Ohio
Cannon, Mo.	Disney	Gildea	Johnson, Luther A.
Cartwright	Ditter	Gingery	Johnson, Lyndon
Casey, Mass.	Dixon	Goldsborough	Johnson, Okla.
Celler	Dondero	Gray, Ind.	Johnson, W. Va.
Champion	Dorsey	Gray, Pa.	Jones
Chandler	Doughton	Green	Kelly, N. Y.
Chapman	Douglas	Greenwood	Kennedy, Md.
Citron	Doxey	Greever	Kennedy, N. Y.
Clark, Idaho	Drew, Pa.	Gregory	Kenney
Claypool	Driver	Griffith	Keogh



Kinzer	Meeks	Powers	Sullivan
Kirwan	Mead	Quinn	Summers, Tex.
Kleberg	Merritt	Rabaut	Sutphin
Kocialkowski	Michener	Ramsay	Swope
Kramer	Millard	Ramspeck	Taber
Lambeth	Miller	Randolph	Tarver
Lamneck	Mills	Rankin	Taylor, Tenn.
Lanham	Mitchell, III.	Rayburn	Terry
Lanzetta	Mitchell, Tenn.	Reece, Tenn.	Thom
Larrabee	Moser, Pa.	Reilly	Thomas, N. J.
Lea	Mosier, Ohio	Richards	Thomas, Tex.
Leavy	Mott	Rigney	Thomason, Tex.
Lewis, Colo.	Mouton	Robertson	Thompson, Ill.
Lewis, Md.	Murdock, Ariz.	Robinson, Utah	Thurston
Long	Nelson	Robson, Ky.	Tinkham
Lord	Nichols	Rogers, Mass.	Towey
Lucas	Norton	Rutherford	Treadway
Ludlow	O'Connell, R. I.	Ryan	Turner
McClellan	O'Connor, Mont.	Sabath	Umstead
McCormack	O'Leary	Sacks	Vincent, B. M.
McFarlane	O'Neal, Ky.	Sanders	Vinson, Fred M.
McGehee	O'Neill, N. J.	Schaefer, Ill.	Vinson, Ga.
McGrath	O'Toole	Scrugham	Voorhis
McGroarty	Owen	Secrest	Wadsworth
McKeough	Pace	Seger	Wallgren
McLean	Palmisano	Shafer, Mich.	Walter
McMillan	Parsons	Shanley	Warren
McSweeney	Patman	Shannon	Welch
Maas	Patrick	Short	West
Magnuson	Patterson	Simpson	Whelchel
Mahon, S. C.	Patton	Sirovich	White, Ohio
Mahon, Tex.	Pearson	Smith, Conn.	Whittington
Maloney	Peterson, Fla.	Smith, Maine	Wigglesworth
Mansfield	Peterson, Ga.	Smith, Wash.	Wilcox
Mapes	Pettengill	Snyder, Pa.	Wolcott
Martin, Colo.	Pfeiffer	Somers, N. Y.	Wolfenden
Martin, Mass.	Phillips	Sparkman	Wolverton
Massingale	Plumley	Spence	Woodruff
Maverick	Polk	Stack	Woodrum
May		Starnes	Zimmerman

## NAYS—42

Allen, Ill.	Cole, Md.	Jacobsen	Rees, Kans.
Amle	Crawford	Johnson, Minn.	Rich
Biermann	Dowell	Kitchens	Sauthoff
Bigelow	Dunn	Lambertson	Schneider, Wis.
Blinderup	Eicher	Lemke	Stefan
Boileau	Gehrman	Luekey, Nebr.	Teigan
Boren	Harrington	Luecke, Mich.	Transue
Burdick	Hildebrandt	O'Brien, Mich.	Wearin
Byrne	Hill, Wash.	O'Connell, Mont.	Withrow
Case, S. Dak.	Hope	Pierce	
Church	Hull	Reed, Ill.	

## NOT VOTING—89

Anderson, Mo.	Dockweller	Kerr	Sadowski
Andrews	Drewry, Va.	Kloeb	Schuetz
Arends	Edmiston	Kniffin	Schulte
Ashbrook	Ellenbogen	Knutson	Scott
Beam	Fernandez	Kopplemann	Sheppard
Bernard	Flannery	Kvale	Smith, Va.
Brewster	Fieger	Lesinski	Smith, W. Va.
Brooks	Fletcher	Luce	Snell
Buck	Fulmer	McAndrews	South
Buckler, Minn.	Gasque	McGranery	Steagall
Buckley, N. Y.	Gifford	McLaughlin	Sweeney
Cannon, Wis.	Gilchrist	McReynolds	Taylor, Colo.
Carlson	Griswold	Mason	Taylor, S. C.
Carter	Halleck	Murdock, Utah	Tobey
Clark, N. C.	Hartley	O'Brien, Ill.	Tolan
Clason	Holmes	O'Connor, N. Y.	Weaver
Cole, N. Y.	Hook	O'Day	Wene
Collins	Hunter	O'Malley	White, Idaho
Cravens	Jarrett	Peyser	Williams
Creal	Jenks, N. H.	Poage	Wood
DeMuth	Kee	Reed, N. Y.	
Dingell	Keller	Rogers, Okla.	
Dirksen	Kelly, Ill.	Romjue	

So the conference report was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. Wene (for) with Mr. O'Malley (against).  
 Mr. O'Connor of New York (for) with Mr. Kvale (against).  
 Mr. Luce (for) with Mr. Bernard (against).  
 Mr. Gifford (for) with Mr. Buckler of Minnesota (against).

Until further notice:

Mr. Drewry of Virginia with Mr. Snell.  
 Mr. McReynolds with Mr. Holmes.  
 Mr. Beam with Mr. Carlson.  
 Mr. Collins with Mr. Reed of New York.  
 Mr. McAndrews with Mr. Knutson.  
 Mr. Fernandez with Mr. Tobey.  
 Mr. Fulmer with Mr. Andrews.  
 Mr. Weaver with Mr. Clason.  
 Mr. Taylor of Colorado with Mr. Halleck.  
 Mr. Kerr with Mr. Jarrett.  
 Mr. Taylor of South Carolina with Mr. Dirksen.  
 Mr. Steagall with Mr. Brewster.  
 Mr. Gasque with Mr. Gilchrist.  
 Mr. Schuetz with Mr. Mason.  
 Mr. McGranery with Mr. Jenks of New Hampshire.  
 Mr. Sheppard with Mr. Cole of New York.

Mr. Kelly of Illinois with Mr. Hartley.  
 Mr. Griswold with Mr. Carter.  
 Mr. Dockweiler with Mr. Arends.  
 Mr. Williams with Mr. Creal.  
 Mr. Hunter with Mr. Sweeney.  
 Mr. Poage with Mr. Fieger.  
 Mr. Buck with Mr. Kniffin.  
 Mr. Wood with Mr. Clark of North Carolina.  
 Mr. O'Brien of Illinois with Mr. Edmiston.  
 Mr. McLaughlin with Mr. Tolan.  
 Mr. Buckley of New York with Mr. Dingell.  
 Mr. Romjue with Mr. Schulte.  
 Mr. Flannery with Mr. Keller.  
 Mr. Smith of West Virginia with Mr. Scott.  
 Mr. Kee with Mr. Fletcher.  
 Mr. DeMuth with Mr. Cravens.  
 Mr. South with Mr. Murdock of Utah.  
 Mr. Peyser with Mr. Anderson of Missouri.  
 Mr. Lesinski with Mr. Brooks.  
 Mr. Ashbrook with Mr. Cannon of Wisconsin.  
 Mr. White of Idaho with Mr. Ellenbogen.

Mr. COFFEY of Washington changed his vote from "nay" to "yea."

The doors were opened.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment no. 2: Page 7, line 17, after the word "proper", insert "and his determination thereon shall be final and conclusive upon the accounting officers of the Government."

Mr. SNYDER of Pennsylvania. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. SNYDER of Pennsylvania. I yield to the gentleman from New York.

Mr. TABER. Mr. Speaker, this is an item, while it does not involve much money it does involve a very important principle. Such funds as this have been known to have been misused and the privilege abused very considerably in times past. In my experience with committees having to do with military activities, I have found that kind of authority is not a good thing to allow. This puts the absolute control of this secret fund with reference to the contingencies of the Army in the hands of the Secretary of War without any auditing by the Comptroller General, which is not a good thing to do.

Mr. SNYDER of Pennsylvania. I may say to the distinguished gentleman from New York this question was under consideration by the conferees for a long time. The Senate conferees maintained that if we could not trust the Secretary of War to the extent of \$17,500 we would better close shop, and that is no doubt true. Of course, it is inevitable that there are times when the Department must have a little reserve fund to draw upon to pay certain items of an unforeseeable character not provided for under other appropriation heads.

Mr. TABER. Well, those are just the things that we should not do. Nowhere else in the Government is there any such secret fund as this, which is outside of the control of the auditing office, and I think it is a very bad precedent to establish. Is it not a fact this item was considered by the subcommittee which considered this bill and the subcommittee refused to put in the item?

Mr. SNYDER of Pennsylvania. The gentleman is correct.

Mr. TABER. And it ought not to be put in here.

Mr. SNYDER of Pennsylvania. The Senate would not yield. I feel that the Department should have some way of meeting little expenditures that bob up in the War Department here and there.

Mr. TABER. What are they? For instance, like sending flowers to somebody?

Mr. SNYDER of Pennsylvania. Possibly so.

Mr. TABER. That is just the kind of thing we ought not to permit and we have not any business doing so.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. SNYDER] that the House recede and concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 95, noes 30.



Mr. TABER. Mr. Speaker, I object to the vote on the ground a quorum is not present.

The SPEAKER pro tempore. The Chair will count. (After counting.) Two hundred and twenty Members are present, a quorum.

So the motion was agreed to.

The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 5: Page 10, after the figure in line 16, insert a colon and the following: "Provided, That on and after July 1, 1937, there shall be authorized 1,083 officers of the Medical Corps and 208 officers of the Dental Corps, notwithstanding the provisions of the act of June 30, 1922 (42 Stat. 721), and the authorized commissioned strength of the Army is hereby increased by 75 in order to provide for the increase herein authorized in the number of officers in the Medical Corps and the Dental Corps."

Mr. SNYDER of Pennsylvania. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 16: Page 16, after line 14, insert a colon and the following: "Provided further, That the appropriation 'Travel of the Army' current at the date of relief from duty station of personnel traveling under orders shall be charged with all expenses properly chargeable to such appropriation in connection with the travel enjoined, including travel expenses of dependents, regardless of the dates of arrival at destination of the persons so traveling."

Mr. SNYDER of Pennsylvania. Mr. Speaker I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 24: Page 28, strike out lines 11 to 15, inclusive, and insert the following: "For the acquisition of land, as authorized by the act of August 12, 1935 (49 Stat. 610): Vicinity of Mitchel Field, N. Y., 342 acres, more or less, \$500,000: *Provided*, That in addition to the amount herein appropriated the Secretary of War may acquire by condemnation or may enter into contracts for the acquisition of the above land in the vicinity of Mitchel Field to an additional amount not in excess of \$1,020,000, and his action in so doing in either case shall be deemed a contractual obligation of the Federal Government for the payment thereof."

Mr. SNYDER of Pennsylvania. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. SNYDER of Pennsylvania moves to recede and concur in Senate amendment no. 24 with an amendment, as follows: In line 4 of the matter inserted by said amendment, before "\$500,000", insert "to be used exclusively for runways."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 26: Page 29, beginning in line 14, strike out down to and including line 24, and insert the following:

"For the acquisition of land in the vicinity of West Point, N. Y., as authorized by the act approved March 3, 1931 (46 Stat. 1491), \$431,000, and such sum, in conjunction with the appropriation of \$431,000 for a like purpose contained in the War Department Appropriation Act for the fiscal year 1937 without regard to the proviso attached to such former appropriation, shall be available until expended: *Provided*, That in addition to the amount herein appropriated the Secretary of War may acquire by condemnation or may enter into contracts for the acquisition of land in the vicinity of West Point to an additional amount not in excess of \$638,000, and his action in so doing in either case shall be deemed a contractual obligation of the Federal Government for the payment thereof: *Provided further*, That no land shall be acquired east of the west boundary of the Highway 9-W, or east of the west boundary of the Highway 9-W as it may be relocated by the State of New York prior to the acquisition of this land."

Mr. SNYDER of Pennsylvania. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. SNYDER of Pennsylvania moves to recede and concur in Senate amendment no. 26 with an amendment, as follows: in lieu of the matter inserted by said amendment insert the following:

"For the acquisition of land in the vicinity of West Point, N. Y., as authorized by the act approved March 3, 1931 (46 Stat. 1491), \$431,000; and such sum, in conjunction with the appropriation of \$431,000 for a like purpose contained in the War Department Appropriation Act for the fiscal year 1937, without regard to the proviso attached to such former appropriation, shall be available until June 30, 1939: *Provided*, That in addition to the amount herein appropriated the Secretary of War may acquire by condemnation or may enter into contracts for the acquisition of land in the vicinity of West Point, as authorized by such act of March 3, 1931, to an additional amount not in excess of \$638,000, and his action in so doing in either case shall be deemed a contractual obligation of the Federal Government for the payment thereof: *Provided further*, That authorization is hereby repealed to acquire any land east of the west boundary of the Highway 9-W, or east of the west boundary of the Highway 9-W as it may be relocated by the State of New York prior to the acquisition of any land west of the present west boundary of such Highway 9-W."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 79: Page 84, strike out, beginning in line 19, down to and including line 9, on page 85, and insert the following:

"Sec. 4. No part of any appropriation made by this act shall be used in any way to pay any expense in connection with the conduct, operation, or management of any post exchange, branch exchange, or subexchange within any State, Territory, or the District of Columbia, save and except for real assistance and convenience to military personnel and civilians employed or serving at military posts and to retired enlisted naval personnel in supplying them with articles of small personal needs, not similar to those furnished by the Government: *Provided*, That the commanding officer of the post at which any such exchange is situated shall certify on the monthly report of the post exchange council that such exchange was, during the period covered by such report, operated in compliance with this section."

Mr. SNYDER of Pennsylvania. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. SNYDER of Pennsylvania moves to recede and concur in Senate amendment no. 79 with the following amendment: Restore the section number proposed by the House, and before the period at the end of the matter inserted by said amendment insert the following: "": *Provided further*, That at posts isolated from a convenient market the Secretary of War may broaden the nature of the articles to be sold."

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that the reading of the remaining amendments in disagreement may be dispensed with and that they may be considered en bloc.

Mr. AMLIE. I object, Mr. Speaker, because we are unable to secure copies or find out what is being done. I have asked for copies but they are not available.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania to recede and concur in Senate amendment no. 79 with an amendment.

The motion was agreed to.

Mr. THOMASON of Texas rose.

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. THOMASON of Texas. Mr. Speaker, I should like to interrogate the chairman of the subcommittee about the amendment which has just been agreed to, relating to post exchanges.

Mr. SNYDER of Pennsylvania. Mr. Speaker, I shall be pleased to yield to the gentleman from Texas.

Mr. THOMASON of Texas. Just what change, if any, is made in the amendment now offered by the conferees from the amendment as it passed the Senate covering the sale of merchandise by post exchanges? I should like some explanation of the amendment, because I thought the Senate amendment was a very good one. Merchants in many towns and cities where there are Army posts are complaining about unfair competition from post exchanges. There is no objection to the sale of necessities and small articles but it should stop there.



Mr. SNYDER of Pennsylvania. The present provision applying to the conduct of post exchanges provides for supplying patrons "with articles of ordinary use, wear, and consumption not furnished by the Government." In lieu of such class of articles, the Senate proposed to substitute "with articles of small personal needs, not similar to those furnished by the Government."

The change is quite obvious. The purpose is to take post exchanges out of the business of virtually running department stores in competition with local merchants.

The Senate stood out stoutly for its amendment, but the House conferees felt that if the change were generally effective a real injury might be done to patrons of exchanges at isolated posts. As a way out, it was suggested that, in order to avoid the imposition of any hardship upon service personnel, the Secretary of War should have authority to pursue a more liberal policy as to exchanges conducted at posts isolated from a convenient market, and the action we are now proposing looks to the acceptance of the Senate amendment with such modification.

Mr. THOMASON of Texas. Then is the House to understand it is left to the discretion of the Secretary of War, or perhaps the different corps area commanders, whether or not the sales shall be limited to small personal articles which are needed by officers and enlisted men?

Mr. SNYDER of Pennsylvania. Yes; I should say that is true, but, of course, much depends upon the interpretation that is placed upon small, personal articles.

Mr. THOMASON of Texas. Then it does resolve itself down to a question of fact, within the discretion of the local corps area commander as to whether or not it is restricted to small, personal articles which the men and officers need or whether they shall carry on a general merchandise business in competition with the local merchants.

Mr. SNYDER of Pennsylvania. This provision was designed to take care of the very situation the gentleman complains of.

Mr. THOMASON of Texas. Then it does mean that promiscuous sale of large merchandise in competition with local merchants is to be stopped?

Mr. SNYDER of Pennsylvania. The gentleman is right.

Mr. POWERS. Mr. Speaker, will the gentleman yield?

Mr. SNYDER of Pennsylvania. Yes.

Mr. POWERS. May I suggest that the gentleman from Pennsylvania, in his own way, explain to the gentleman from Texas the discussion we had in the conference committee, and I think then the gentleman from Texas will be satisfied.

Mr. SNYDER of Pennsylvania. I thank the gentleman for his suggestion, but I think the gentleman from Texas is now satisfied.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that the reading of the remaining amendments in disagreement be dispensed with and that they be considered en bloc.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, I offer a motion, which I send to the Clerk's desk.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House adhere to its disagreement to the amendments of the Senate to the bill H. R. 6692, the military appropriation bill, 1938, nos. 1, 47 to 77, inclusive, and 80, and the amendment of the Senate to the title of said bill.

Mr. CANNON of Missouri. Mr. Speaker, I ask for a vote on the motion.

The motion was agreed to.

On motion of Mr. CANNON of Missouri, a motion to reconsider the vote by which action was taken on the various motions with respect to the military appropriation bill, 1938, was laid on the table.

#### APPROPRIATIONS FOR THE FIRST HALF OF JULY 1937 FOR CERTAIN OPERATIONS OF THE FEDERAL GOVERNMENT

Mr. CANNON of Missouri. Mr. Speaker, I call up the bill (H. R. 7726) making appropriations for the first half of the

month of July 1937, for certain operations of the Federal Government which remain unprovided for on July 1, 1937, through the failure of enactment of the supply bills customarily providing for such operations, and ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

Mr. TABER. Mr. Speaker, reserving the right to object, as I understand it, the Senate has adjourned until tomorrow, so that it is absolutely impossible to have all the appropriation bills passed before the 1st of July. I have never known of this kind of a situation arising before.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That for defraying during the first half of the month of July 1937 all expenses of the necessary operations of the Federal Government, which, on July 1, 1937, remain unprovided with appropriations through the failure of enactment on or before such date of the supply bills customarily providing for such operations, there are hereby extended for and during such period all appropriations available for obligation for such expenses during the fiscal year ending June 30, 1937, in the same detail and under the same conditions, restrictions, and limitations as such appropriations were provided for on account of such fiscal year.

SEC. 2. To make effective the appropriations extended by section 1 there are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of certain revenues, receipts, and funds, respectively, as such appropriations available for the fiscal year ending June 30, 1937, were appropriated, such sums as may be necessary for such first half of the month of July 1937.

SEC. 3. No greater amount shall be expended out of any appropriation provided by this act than an amount equal to one twenty-fourth of the appropriation available for like purposes for the fiscal year ending June 30, 1937.

SEC. 4. The total expenditures for the entire fiscal year ending June 30, 1938, out of the appropriations made by this act and the appropriations in the several pending supply bills, shall not exceed in the aggregate the amounts finally appropriated, respectively, in such pending supply bills when they shall have been enacted into law.

SEC. 5. This act shall not be construed as authorizing the duplication of any special expenditure or providing for the execution of any purpose which was intended to be accomplished only once or done solely for or during the fiscal year ending June 30, 1937.

SEC. 6. (a) This act shall not apply to any expenses of operations of the Federal Government the annual appropriations for which for the fiscal year ending June 30, 1938, have been made on or before July 1, 1937.

(b) On such date or dates subsequently to July 1, 1937, as the several pending supply bills shall, respectively, become law, the appropriations made by this act and applicable to the expenses of operation covered by such pending supply bills shall no longer be available for obligation.

(c) Any appropriations in this act for such first half of the month of July 1937 for any expense of operation for which an appropriation is proposed in, but not finally made by any of, such pending supply bills when the same shall have become law shall cease to be available for obligation on the date upon which the supply bill in which such appropriation was proposed becomes a law; and any expenditure under any such appropriation in this act shall not be included in computing the total of expenditures under section 4 hereof.

SEC. 7. The terms "supply bill" and "supply bills", when used in this act, mean one or more of the regular appropriation bills customarily enacted annually, and for the purposes of this act title II of the War Department Appropriation Act for the fiscal year 1937 shall be deemed such a supply bill.

SEC. 8. This act may be cited as the "Extension of Appropriations Act, 1938."

Mr. CANNON of Missouri. Mr. Speaker, the fiscal year ends at midnight tonight, and all departments for which supply bills have not been enacted by that time are without authority to operate. They can spend no money; they cannot enter into contracts; they cannot employ assistants, rent quarters, buy supplies, or legally transact business of any character.

All of the supply bills have been enacted with the exception of two War Department bills and the Interior bill.

It is our hope that they will be ready in the next day or two, but in the meantime, in order to provide for the maintenance of the War Department and the Interior Department, it is necessary to pass a continuing resolution.

This is the usual bill, prepared in the regular form, and has been submitted to, and approved by, the Comptroller and the Director of the Budget.



Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Michigan.

Mr. MAPES. If the Senate should adopt the conference reports on the Army bill and the Interior Department appropriation bill tomorrow, would there be any occasion for the passage of this resolution?

Mr. CANNON of Missouri. If the remaining supply bills should be adopted tomorrow, the appropriations could be dated back and this legislation would not be required, but in the event they were not adopted tomorrow, this emergency legislation would be necessary and, of course, we have no assurance of their passage within the time limit. As a matter of fact, the Senate has added to the Interior bill a provision under which appropriations can be dated back to the first of the fiscal year, and, evidently, has in view some considerable delay which might carry the bill past the first pay day. However, in response to the inquiry of the gentleman from Michigan, I may say that if they are passed and become law within the prescribed time, then this bill does not go into operation. If they are not passed and no provision is made for the operation of the two departments, then this proposed legislation, if passed, will become effective.

Mr. MAPES. Mr. Speaker, will the gentleman yield further?

Mr. CANNON of Missouri. I am glad to yield to the gentleman.

Mr. MAPES. As the gentleman states, it is not an infrequent thing for Congress to pass so-called continuing resolutions somewhat similar to this.

Mr. CANNON of Missouri. That is true.

Mr. MAPES. I have never given any particular attention to the wording of the continuing resolutions, but it seemed to me, as the pending resolution was read, that it was longer and contained more than the usual continuing resolution. Will the gentleman from Missouri tell us whether there is anything in the pending resolution that has not been in the usual continuing resolution?

Mr. CANNON of Missouri. As a matter of fact, it is shorter than some of the continuing resolutions of previous sessions. For example, the continuing resolution passed in the Sixty-fifth Congress had to take into consideration provision for the extraordinary circumstances attending the prosecution of the war which was in progress at that time. This bill omits some of the paragraphs in that resolution, of course, and is to that extent shorter than the resolutions of the war Congress. Otherwise it is the routine legislation adopted on such occasions. One or two minor changes have been made in verbiage which render it a little more restrictive than some previous resolutions of this character, but the change is slight.

Mr. MAPES. Is this resolution retroactive so that it will take care of the interim from 12 o'clock tonight on to the time of its passage?

Mr. CANNON of Missouri. Whenever signed by the President, even after a delay of 2 or 3 days, it will become effective as of midnight tonight.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to my colleague from Missouri.

Mr. COCHRAN. Mr. Speaker, I think the House should commend the Committee on Appropriations for bringing in this resolution. It will enable us to properly consider the outstanding appropriation bills. The Interior Department appropriation bill came back from the Senate in such condition that in my opinion the House should spend at least a week on it before it should ever agree to the Senate amendments. The Senate has inserted in that bill numerous items authorizing public-works projects which have never been authorized by our legislative committees, and while the amount involved is not so much at the present time, yet before the completion of these projects, if the House agrees to the Senate amendments, they will cost the taxpayers of this country several hundred million dollars. I think the gentleman from Missouri [Mr. CANNON] should give the

House assurance now, in view of the fact that there are so many Members who have gone home to remain away until the 5th of July, that the Committee on Appropriations will not bring back to this House any conference report upon the Interior Department appropriation bill until next Tuesday at the earliest. I do not think the conference report should be brought back tomorrow. I understand the conferees are meeting at the present time. Further, I understand there is absolutely no chance of an agreement; but even if an agreement is reached, it should not be brought back tomorrow, because so many Members of the House are away, leaving with the expectation that nothing of importance would come up tomorrow or Friday, and they will be home to visit their families over the Fourth. Therefore I think the Committee on Appropriations should insist that the Senate pass this legislation tomorrow, and that the conference report on the Interior Department appropriation bill be held in abeyance until at least next Tuesday.

Mr. CANNON of Missouri. Mr. Speaker, I think the gentleman may be assured that no precipitous action will be taken, and that due consideration will be given all amendments before reported to the House. Of course, it is always to be regretted that we have to resort to temporary stop-gaps of this character but it is sometimes unavoidable. We passed the War Department appropriation bill and messaged it over April 30. It has been lying over there more than 2½ months. And we sent over the Interior Department appropriation bill on May 20, nearly a month and a half ago. Now that we have failed to secure final consideration, there is nothing left for us to do but to propose this legislation, without which any action by the two departments would be illegal.

Mr. ENGLEBRIGHT. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. Yes.

Mr. ENGLEBRIGHT. Is the bill general in character or does it cover the specific appropriation bills that have not been passed?

Mr. CANNON of Missouri. It is a general bill. It provides for the activities of all the departments otherwise unprovided for on the 1st of July 1937. If one of the bills should be passed, it would then apply to the other. If neither should become law within the next 2 or 3 days, it would be applicable to both.

Mr. ENGLEBRIGHT. Does not the gentleman think the House should expedite the consideration of these conference reports, in view of this bill and the unsatisfactory manner in which many of the departments will have to operate under the bill? Does not the gentleman think we should expedite the consideration of the conference report, as soon as convenient and possible?

Mr. CANNON of Missouri. I can assure the gentleman that the committee will make every effort to secure enactment before it becomes necessary to invoke the provisions of the pending bill.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from New York, the ranking minority member of the committee. Mr. TABER. The bill provides that these departments shall run along on the basis of the 1937 appropriations?

Mr. CANNON of Missouri. Yes. It is merely an extension of the current law.

Mr. TABER. And they cannot go ahead and operate under the new appropriations that are under consideration, which have been submitted by the Budget and considered by the Congress, until after these appropriation bills are enacted?

Mr. CANNON of Missouri. No. It merely makes available one twenty-fourth of the amount of the appropriations provided in the current bill and under conditions prescribed by existing law.

Mr. Speaker, if there are no further inquiries, I move the previous question on the bill.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.



The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

**RENEWAL OF STAR-ROUTE CONTRACTS—VETO MESSAGE OF THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 281)**

The SPEAKER laid before the House the following veto message from the President of the United States, which was read:

*To the House of Representatives:*

I return herewith, without my approval, H. R. 4408, entitled "An act to provide for the renewal of star-route contracts at 4-year intervals, and for other purposes."

Under existing law contracts for carrying the mail over star routes are required to be let for a period not exceeding 4 years to the lowest responsible bidder. The principal purpose of this bill is to provide that in any case of regular (star route) contracts the contract may, in the discretion of the Postmaster General, if and when he finds it to be in the interest of the Postal Service (and subject to certain other conditions and limitations prescribed in the bill), be renewed for single periods of 4 years from date of expiration, at the rate prevailing at the end of the contract term, and like renewals of such contract may thereafter be made as often as the interests of the Service may require.

I am opposed to this measure, as I am firmly convinced that the existing policy of awarding star-route contracts to the lowest responsible bidder is fundamentally sound. This policy has been in effect for more than 50 years, during which time it has proven on the one hand to be fair to the Government, and on the other it affords to all citizens equal opportunity through fair and open competition to secure the award of such contracts. Without competitive bidding no one can definitely determine the least amount annually for which some responsible bidder may be willing and able to perform the services on a particular route. The Postmaster General, in the discretion granted him by this bill, could not, without obtaining competitive bids, determine whether or not the renewal of a contract would in fact be in the best interests of the service. Obviously there would be no opportunity to reduce the expense of the star-route service in cases where renewals are granted, as the bill provides that such renewals shall be at the rate prevailing at the end of the contract term. Moreover, the Postmaster General would be authorized to grant renewals to a contractor every 4 years for an indefinite period. In other words, the bill contemplates vesting a right to the continuance of a contract merely because of the present holding of the contract without regard to what existing conditions might be at the termination of the particular contract.

For the above reasons and those contained in the attached letter of the Acting Postmaster General, dated June 29, 1937, I do not feel justified in approving this bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 29, 1937.

The SPEAKER. The objections of the President will be spread upon the Journal.

Mr. MEAD. Mr. Speaker, I move that the veto message and bill be referred to the Committee on Post Offices and Post Roads and ordered printed.

The SPEAKER. The question is on the motion of the gentleman from New York.

The motion was agreed to.

**ACQUISITION OF CERTAIN LANDS FOR YOSEMITE NATIONAL PARK, CALIF.—CONFERENCE REPORT AND STATEMENT**

Mr. DEROUEN, from the Committee on Public Lands, submitted a conference report and statement on the bill (H. R. 5394, Rept. No. 1149) to provide for the acquisition of certain lands for, and the addition thereof to, the Yosemite National Park, in the State of California, and for other purposes, for printing in the RECORD.

**EXTENSION OF REMARKS**

Mr. COLE of Maryland. Mr. Speaker, I ask unanimous consent to extend my own remarks and insert in the Appen-

dix of the RECORD an address delivered by my colleague from Indiana [Mr. PETTENGILL].

The SPEAKER. Without objection, it is so ordered. There was no objection.

**MEETING OF WAR VETERANS OF THE HOUSE**

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute to make a statement.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, I wish to state to the veterans of the House that on tomorrow, at 11 o'clock, our veterans' association will meet in the World War Veterans' Committee room in the House Office Building. Let me say this is not an official organization. It is merely a social organization of Members who served in the World War, the Spanish-American War, or in the Philippine Insurrection. Formerly we had some Members who had served in the Civil War.

The association does not participate in legislation, and has no power to even pass a resolution on legislation, or to endorse anybody for any political or official position, but it is merely a meeting of the Members of the House who have served in the military service, and, as I have explained, to get together occasionally. Tomorrow we are going to meet and organize and elect officers of the association. I hope you ex-service Members will all be there.

[Here the gavel fell.]

**EXTENSION OF REMARKS**

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by printing a radio address I delivered last Friday night over Station WGY.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in three particulars: First, the foreign-trade zone of New York; second, capital gains and losses taxes; and, third, on the matter of undistributed profits.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ALLEN of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

**PERSONAL EXPLANATION**

Mr. MILLS. Mr. Speaker, on June 29, 1937, I was unavoidably detained at my office when roll calls no. 98 and no. 99 were called. Had I been present, I would have voted "no" to recommit the bill, roll call no. 98, and I would have voted "yea" on roll call no. 99, the passage of the bill.

**EXTENSION OF REMARKS**

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a table showing the percentages of tenant farmers in my district.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

**PERSONAL EXPLANATION**

Mr. TOBEY. Mr. Speaker, with reference to the roll-call vote this morning on agreeing to the conference report on the War Department appropriation bill, my colleague from New Hampshire, Mr. JENKS, and I were unavoidably absent at a Boy Scout conference. Had we been present, we would have voted "aye."

**APPROPRIATIONS FOR THE CIVILIAN CONSERVATION CORPS, RAILROAD RETIREMENT ACCOUNT, AND OTHER ACTIVITIES**

Mr. WOODRUM. Mr. Speaker, I call up for immediate consideration the resolution (H. J. Res. 433) making appropriations for the fiscal year ending June 30, 1938, for the



Civilian Conservation Corps, the railroad retirement account, and other activities, and for other purposes.

The Clerk reported the title of the House joint resolution.

Mr. WOODRUM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 433; and pending that, I ask unanimous consent that general debate be limited to 50 minutes, confined to the bill, the time to be equally divided between the gentleman from New York [Mr. TABER] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Virginia [Mr. WOODRUM].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 433, making appropriations for the fiscal year ending June 30, 1938, for the Civilian Conservation Corps, the railroad retirement account, and other activities, and for other purposes, with Mr. HOBBS in the chair.

The Clerk read the title of the House joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

Mr. WOODRUM. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this joint resolution provides appropriations for five activities and emergency deficiency items for departments out of funds at midnight tonight. The first is the Joint Committee on Tax Evasion and Avoidance, the committee set up by the House and the Senate, with which I think all of us are familiar, \$50,000. The second item is the usual resolution providing authority to pay the pages of the House and the Senate after July 1. The third is an item for the Civilian Conservation Corps. The fourth is a little rent item for the Department of Agriculture. The fifth is an item for the railroad retirement accounts.

The only item on which I think there might be any difference of opinion among the members of the committee is the appropriation for the Civilian Conservation Corps. We passed a bill extending the Civilian Conservation Corps but reducing its enlisted strength to 300,000 and making a number of other very radical changes in the set-up of that organization. For the current fiscal year they have had \$403,000,000. This bill provides \$350,000,000 for their activities for the fiscal year beginning at midnight tonight. It is true that there is an ostensible reduction of 20 percent in the activities of the Civilian Conservation Corps, and probably it will be claimed that there should, therefore, be a corresponding reduction in their appropriations. Certainly, a substantial majority of the committee does not feel that it would be safe to reduce the appropriation for the Civilian Conservation Corps anything below the amount of the Budget estimate which was for \$350,000,000; and it is upon this basis that the Appropriations Committee has brought the item to Congress this year.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM. I yield.

Mr. MOTT. Will the gentleman explain the provision at the bottom of page 3 for the retention of employees of the corps and cooperating Federal agencies which are paid from the Emergency Conservation work funds, and particularly whether that includes Reserve officers assigned to the C. C. C. camps.

Mr. WOODRUM. It does not affect Reserve officers. They are assigned by the War Department, as the gentleman knows. The reason for this provision is to make unnecessary the formality of a new appointment for each one of the personnel of the C. C. C. retained after the beginning of the fiscal year.

Mr. MOTT. It has nothing to do with Reserve officers?

Mr. WOODRUM. It has nothing to do with Reserve officers.

Mr. Chairman, I reserve the balance of my time.

Mr. TABER. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I yield to no man on either side of the House in my desire to plug all the loopholes that have been used by tax avoiders and evaders. I probably go further than most Members of the House. I say this so that there will be no misunderstanding of my position. I would do away with all foreign personal holding companies. I would also do away with all domestic holding companies. I would do away with that greatest of all loopholes, the further issuance of tax-exempt securities. Some \$15,000,000,000 of tax-exempt securities have been issued in the last 4 years by this administration, and these constitute by far the largest single loophole for the rich men of America to evade paying their share of taxes for the maintenance of the Government.

The President in his recent message on tax evasion and avoidance started by using these words:

A condition has been developed during the past few months so serious to the Nation that the Congress and the people are entitled to the information about it.

I submit that this is not an accurate statement. This condition has not been developing for the last few months only; it has developed over a long period of time. For many years past, for 3 or 4 years at least—and, to be fair, even before this administration came into power—rich men and others had been using loopholes that have been left by the Congress in order not to pay their taxes to the Government. If anyone is at fault, it is the administration, the Ways and Means Committee, and the Congress for leaving these loopholes.

In America a man is innocent until he is proven guilty. It seems to me that rich men—and I am not here to defend any rich man; I find they can always take care of themselves; I am here merely to state facts—it seems now that certain rich men must be singled out and smeared across the pages as if they were criminals for doing something that they are permitted to do by the Congress and by the Government. Almost without exception, these charges have been made before the investigating committee against men and women who have made deductions within the law. In only a few cases has it been charged or claimed that what was done was illegal. I want to make clear also that I am not criticizing the committee now investigating tax avoidance and evasion, composed of prominent members of the Ways and Means Committee of the House and Senators from the Committee on Finance of the Senate, all honorable, honest, and able men. They have not brought any partisanship into it. They are acting only as servants of the House and the Senate to get the facts. The Treasury Department, however, in my humble judgment, has injected partisanship into it. It has presented a large number of names, not claiming that these people have done something illegal, and it is beginning to look to me as though many of the men mentioned were being singled out for punishment and reprisal not by the committee but by the Treasury of the United States and the administration.

A large number of these names are of people known to be opponents of the administration, who are on record as political foes of the administration. Out of some sixty-odd names, 27 that I have checked up individually have been contributors against the administration through the Republican Party. Others that I have not checked up have been contributors through, let us say, various organizations that are known as anti-New Deal, whether it be the Liberty League or some other organization. It is fair to say that 50 percent of the people whose names were presented by the Treasury Department are men and women who have openly opposed the administration and contributed against it. I must exclude the testimony given before the committee yesterday because I have not had time to check it up, but so far the name of only one Democrat has been presented who has contributed to that party and I happen to know him very well because he lives in my district. Nobody thinks less of the New Deal than he did and does. He contributed for other



reasons, probably on account of the fact that he is the greatest brewer in America today and produces more beer than anyone else.

The origin of the investigation has all the earmarks of soaking and swatting the rich and promoting class hatred. I have thought from the time the President's message was read to Congress and said so at the time, that it was a smokescreen and a camouflage to detract attention from other issues and a red herring dragged across the front lines of the press as an excuse for failure to balance the Budget or to make accurate estimates of income-tax payments and other revenue.

Mr. Chairman, this investigation is not necessary, although nobody objects to it. It must be apparent that the Ways and Means Committee could have obtained the information. The Treasury Department has had the information for a long time. It could be presented overnight to the Ways and Means Committee, which could have written legislation and put an end to at least 90 percent of the loopholes in a few weeks' time. Such a measure could be passed through Congress by a unanimous vote and without opposition before adjournment, and the few remaining loopholes attended to when the Congress convenes in January.

I am not opposing the \$50,000; in fact, I am strongly for it and would be in favor of more, if necessary, to plug the loopholes. But I submit this must be an impartial investigation. It must not be merely an investigation of the enemies and foes of the New Deal. It must include all kinds of tax evaders and avoiders from the highest down, from the President of the United States down, including members of the President's family, members of the Cabinet and their families, and high Government officials who have done exactly and identically the same thing—who have taken advantage of these loopholes to deduct from their income within the law—as is charged against others who are foes of the administration.

Now that the chairman of the Ways and Means Committee is present, I want to read to him a letter I mailed last night, which, if Mr. Farley's mails are going regularly, should have been delivered this morning. In case he did not receive it, I want to read it to him and to the Members of the House:

JUNE 29, 1937.

HON. ROBERT L. DOUGHTON,

*Chairman, Joint Committee on Tax Evasion and Avoidance, House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: I am sending you herewith certain remarks I made recently concerning the investigation of tax evasion and avoidance, which are self-explanatory.

I hereby request your committee to make an investigation of these various charges, and will be glad to cooperate to the fullest extent and appear before your committee in substantiation of the main charges. The committee can obtain most of the facts direct from the Treasury Department prior to my appearance, if desired.

I feel very strongly, however, that most of the names that have been submitted by the Treasury Department are opponents of the administration and a large percentage of them are contributors to the Republican campaign funds.

I am confident that the committee desires to avoid any aspect of partisanship or partiality, and for that reason trust that you will take whatever action is necessary to call for the tax returns of members of the administration and friends of the administration who are using the same kind of loopholes to evade and avoid payment of taxes to the Federal Government.

Assuring you of my cooperation, I am,  
Sincerely yours,

HAMILTON FISH.

In order to save time I ask unanimous consent to put into the RECORD the names of those already mentioned who are contributors to the Republican Party, instead of reading their names at this time. Included in those names are former officials of the Government, such as Andrew Mellon, formerly Secretary of the Treasury. I submit in all fairness and in all justice, if he is to be pilloried, if he is to be pointed out as a tax evader under the law, a former prominent Secretary of the Treasury, then it is the duty of the committee to call for the tax returns of the members of the Cabinet mentioned in my statement made both inside and outside of this House and printed in the CONGRESSIONAL RECORD, in the Appendix.

The following are the names of Republican contributors who have already been publicly smeared by the Treasury. In all fairness let us have the Democratic evaders as well: Andrew Mellon, Pierre du Pont, F. V. du Pont, Paulina du Pont, Mrs. Ethel du Pont, Mrs. W. du Pont Moss, H. F. du Pont, Thomas W. Lamont, Alfred P. Sloan, Jr., Fred Fisher, William Dewart, Isabel Willys, Charles Hayden, Jeremiah Milbank, Robert Nixon, R. W. Woodruff, Ailsa Mellon Bruce, W. R. Coe, Charles E. Merrill, E. C. Lynch, E. H. Worth, Duncan Phillips, S. E. Summerfield, Clement C. Smith, C. D. Marshall, R. B. Mellon, R. E. Dwight, Jules S. Bache, Wallace Groves, Percy K. Hudson.

Mr. Chairman, I would be glad to appear before the committee in substantiation of those charges that I have deliberately made. The President of the United States sent a report to the Congress in which he talked about the immoral and unethical tax evaders and avoiders and the problem of decency of American morals, and so forth. I will present evidence at that time showing that the President of the United States is using these same loopholes, and has admitted he has used these loopholes to make deductions in connection with his farms in Dutchess County and in Georgia, and has written off depreciation on old buildings and losses on the farms, and, of course, he does not live on either of these farms. I would rather submit that evidence in a concrete way before the proper investigating committee instead of on the floor of Congress.

[Here the gavel fell.]

MR. TABER. Mr. Chairman, I yield the gentleman 1 additional minute.

MR. FISH. Mr. Chairman, the whole purpose of this investigating committee will be spoiled if it goes before the country as a partisan committee, simply dragging into the limelight Republicans and foes of the administration, who have done nothing more than the President of the United States, and I do not claim the President has done anything illegal; but the President himself has said he has used these loopholes to avoid payment of taxes by writing off depreciation on an old barn on his place that was built in 1790 and which he bought in 1910. This barn is located on his farm at Hyde Park. I therefore repeat, Mr. Chairman, what is sauce for the goose is sauce for the gander. [Applause.]

[Here the gavel fell.]

MR. WOODRUM. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. DOUGHTON].

MR. DOUGHTON. Mr. Chairman, I have listened to the address which the distinguished gentleman from New York has just delivered. The gentleman is quite amiable. But he can undoubtedly dream more wild dreams, see more visions, and impute more unworthy motives, with less evidence, to men in high places than any man inside or outside of this Hall.

He starts in and rambles over enough territory for a 2-hour speech, criticizing the issuance of tax-exempt securities, among other things. Of course, the issuance of tax-exempt securities is not peculiar to the present administration. It is not a modern affair. I do not know how long it has been going on, but it occurred under previous administrations, as well as the present administration. The matter has been discussed again and again, but thus far no remedy has been devised. It is a matter that the Congress can deal with any time, probably through a constitutional amendment.

The main criticism of the gentleman today seems to be of the hearings that are now being conducted by the joint committee of the House and Senate as provided by resolution of the House and Senate and as a result of the message of the President of the United States on tax avoidance and tax evasion. The gentleman seems to think and even charges that discrimination and political methods are being used by the Treasury Department. He absolves the members of the joint committee of anything of the kind, but boldly charges that the Treasury Department is proceeding along political lines.



In other words, he charges the Treasury Department is discriminating and bringing out only the names of those who belong to the minority party and not including the names of those who might belong or do belong to the majority party.

Dr. Magill, Under Secretary of the Treasury, is one of the most able and fairest men I have ever known connected with any department of the Government. In his opening remarks before our committee he made this statement:

We—

That is, the Treasury Department—

asked the revenue agents in charge in each of the 38 internal-revenue districts to submit full information of any new forms of tax avoidance which had come to their attention, and of any existing loopholes in the revenue laws which were causing a substantial loss of revenue. Particular attention was devoted to those major districts in which the increases in income reported had been significantly less than the average increase for the country as a whole. The cases thereby collected were carefully analyzed, and further investigations made when necessary.

Dr. Magill has stated to me in addition that in every instance where there were indications of tax avoidance and evasion by some questionable means, either taking some questionable advantage of the present law or in violation of the present law, the cases without regard to party or to section were reported to the Treasury Department.

On our joint committee are two able, eminent, and fair minority Members of the House, and the same from the committee of the other body. Thus far they have had no occasion—if they have, they have not expressed it—to speak of anything having been done which would raise in the minds of the committee, in the minds of Members of Congress, or in the minds of the people of the country the suspicion that the Treasury Department is proceeding in a partisan manner. I am sure if they become convinced that partisanship is shown and have any evidence to support such a position, they will bring it to the attention of the committee.

I may say, moreover, the committee has the authority to make an investigation of the tax returns of any individual or corporation, and the committee doubtless will make such investigation if request is made by any member of the joint committee. While the gentleman from New York attempts to cast aspersions upon the administration and to claim that the administration is guilty of the same offenses as are involved in the cases which have been brought to the attention of our committee, I have no thought that the President of the United States—and I am not authorized to speak for him; he is always able to speak for himself—or the Secretary of the Treasury or anyone connected with the administration will ask immunity. I challenge the statement, as being unworthy of the gentleman from New York, that the President of the United States has resorted to the same questionable methods of evasion that have been discovered and exposed by our committee. I feel sure he has not incorporated his pocketbook or organized foreign corporations and bogus foreign insurance companies nor resorted to similar devices.

Mr. FISH. All the gentleman has to do is accept my challenge. I will prove it to the gentleman.

Mr. DOUGHTON. I do not yield at this time. I did not interrupt the gentleman.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to my colleague the gentleman from Massachusetts.

Mr. TREADWAY. Was not the subject brought up this morning in the committee of other witnesses being requested to appear or returns of persons other than those whose returns have been or will be submitted by the Treasury itself being requested of the Treasury?

Mr. DOUGHTON. It was mentioned in a general way. No names were mentioned.

Mr. TREADWAY. No names were mentioned; that is right.

Mr. DOUGHTON. Nothing was specified. The gentleman seemed to have had in his mind some suspicion that possibly the hearing might be closed before all parties were given an opportunity to be heard, and he was assured by the chairman of the joint committee that the committee would care for that, that certainly the Treasury officials could not determine when we would close the hearings. I may say to the gentleman I have no doubt any request the gentleman submits to the joint committee will receive the same consideration as requests made by members of the majority party. I do not think the gentleman has any fear that he will not be accorded every right, every courtesy, and every opportunity, or that the investigation will not proceed upon a basis of fairness and justice, without regard to partisanship. I have not seen any evidence on the part of the committee of a desire to manifest any partisanship.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield further?

Mr. DOUGHTON. Yes; I yield.

Mr. TREADWAY. Mr. Chairman, sometimes I have had occasion to differ with the views expressed by my distinguished chairman, but I may say to him and to the House that in this instance he stated very accurately exactly what has happened in the committee, and that I have every assurance the minority members will be given the opportunity to which the chairman has referred of requesting returns of other taxpayers than those whose returns have been submitted by the Treasury Department itself. [Applause.]

Mr. DOUGHTON. I thank the gentleman. I trust the gentleman from New York [Mr. FISH] may be able to possess his soul in peace for a while. If there should be ground for complaint, I am sure the gentleman from Massachusetts and the gentleman from New York, who are able and conscientious members of the joint committee, will find it out. The gentleman from New York [Mr. FISH] is always seeing ghosts, dreaming dreams, and imagining things.

Mr. FISH. The gentleman was asleep while I was talking.

Mr. DOUGHTON. Oh, no.

Mr. FISH. No one has charged the gentleman's committee with doing anything wrong or being partisan. I said exactly the opposite. I think the gentleman was dreaming when I was speaking.

Mr. DOUGHTON. The gentleman charged the Treasury Department with that, which is just as bad.

Mr. FISH. Yes; I did.

Mr. DOUGHTON. And there was not the slightest foundation for it. It is purely without any foundation whatever. It just sprang up in the brain of the gentleman, like a lot of the other brainstorms he has had. [Laughter.]

Mr. TABER. Mr. Chairman, I yield the balance of my time to myself.

Mr. Chairman, I am rising for the purpose of trying to save a little money, so that the Ways and Means Committee will not have to work so hard. We have before us an estimate of \$350,000,000 for the C. C. C. for the fiscal year 1938. By the authorization bill, which was passed here in the House, the authorized number of the C. C. C. was reduced from 350,000 to 300,000. The appropriations, therefore, should be reduced from \$403,000,000, which is the amount that will be spent in the fiscal year 1937, to \$320,000,000, and if they have efficient management and go along in the same way they have before, we ought to be able to cut \$30,000,000 from this item and still permit them to function just as they have been permitted to function heretofore.

The estimates that were brought up to us by the C. C. C. called for an average number of enrollees of 303,000 through the year. This appears on the green sheets that were submitted to us.

I want to call the attention of the House to the number of those on the roll and the number being paid by the C. C. C. during the fiscal year 1937, with an authorization of 350,000:

On January 10, there were 351,000.

On March 10, 297,000.

On March 30, 242,000, or over 100,000 below the authorized strength.

On April 10, after enlistments had come in, 280,000, or 70,000 below the authorized strength.

On May 10, 300,000.

On June 10, this month, 278,000.

It is perfectly apparent from a consideration of these figures that the number in the C. C. C. camps will not be anywhere near the authorized strength, and why should we appropriate for the full authorized strength when it is absolutely impossible, in the working out of a normal situation, for that number to be there? It is not a question of whether there is any merit in the C. C. C. or anything of that kind. This is an appropriation bill to provide for an activity which the Congress has authorized and directed shall go on, and we should, in figuring out the amount to be appropriated for this activity, give them funds to take care of the number they will have on hand.

Mr. KELLER. Mr. Chairman, will the gentleman yield for a question?

Mr. TABER. I yield to the gentleman from Illinois.

Mr. KELLER. I would like to know whether the gentleman can tell me how many enrollees there are in the camps and whether there are not thousands and thousands of applicants above the present enrollment waiting to be accepted?

Mr. TABER. I do not know about that. They stated when they were before us that they might have difficulty in filling their enlistments and they might have to go out and solicit such enlistments. This is the statement they made and it is the limit of my knowledge. They did make the statement, and I think this will answer the gentleman's question better than I could answer it in any other way, that enlistments, according to their new ruling, come on the first days of July, the first days of October, the first days of January, and the first days of April, and from the date of enlistment there is a gradual dropping off in the number on hand until the next date of enlistment.

Therefore, in the months of August and September, in the months of November and December, in the months of February and March, and in the months of May and June, there will undoubtedly be a very much smaller number than the authorized enlistment in the corps. This has been the rule right along, ever since the corps started, and figuring on the basis of what has happened before there is no question but what there will be a much smaller number on hand than the outfit has estimated.

Mr. KELLER. May I suggest to the gentleman that I believe an investigation on his part will develop there are more than 100,000 who are anxious to get into the C. C. C., if they can.

Mr. TABER. I only know what they told us, and if we appropriate for this outfit on the basis of 80 percent of what has been expended or will be expended with the close of today, \$403,000,000, or approximately \$320,000,000, we will have appropriated ample funds to meet the cost of operation and I do not believe we should appropriate \$30,000,000 more than is necessary.

Mr. McSWEENEY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Ohio.

Mr. McSWEENEY. Did the gentleman figure that on a percentage basis or on a per-capita basis?

Mr. TABER. On a percentage basis of the authorized strength, believing that the number who go in on the enlistment dates will drop off, as they have in the months following the enlistment dates.

Mr. McSWEENEY. Does the gentleman believe it is fair to figure on a percentage basis when they must maintain a certain, definite overhead, whether they have a larger or smaller number?

Mr. TABER. They do not have to maintain all of their overhead.

Mr. McSWEENEY. Not all of it, perhaps.

Mr. TABER. Because they are planning to reduce the number of camps by at least 500, bringing the number down

to around 1,500, and as they do this they will be able to drop a very large percentage of their overhead.

The figures they have given us, and upon which I have relief, are way beyond what is reasonable.

[Here the gavel fell.]

Mr. WOODRUM. Mr. Chairman, I ask that the Clerk read.

The CHAIRMAN. The Clerk will read the resolution for amendment.

The Clerk read as follows:

*Resolved, etc., That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1938, for the following respective purposes:*

#### LEGISLATIVE

##### JOINT COMMITTEE ON TAX EVASION AND AVOIDANCE

For payment of salaries and other expenses of the Joint Committee on Tax Evasion and Avoidance authorized by Public Resolution No. 40, approved June 11, 1937, including stenographic reporting services under contract without reference to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), per-diem allowances in lieu of actual expenses of subsistence, traveling expenses, law books, books of reference, periodicals, newspaper clippings, and such other expenditures as the joint committee deems advisable, fiscal years 1937 and 1938, \$50,000, to be disbursed one-half by the Secretary of the Senate and one-half by the Clerk of the House of Representatives.

Mr. FISH. Mr. Chairman, I move to strike out the last word. After I had concluded my remarks, which I consider most temperate, the chairman of the Committee on Ways and Means felt it was necessary to indulge in personalities. I have made certain definite charges but not against his committee or any member of his committee. In fact, I had commended the members of the investigating committee for the hard work they were doing and for the impartial treatment of the matters before them. I have made some specific charges, somewhat serious and far reaching, and I had asked for an opportunity to appear before that committee in order to substantiate those charges. As a Member of this House for 17 years, I have not been accustomed to make half-baked charges or charges that I cannot substantiate before this House or any committee of the House. Therefore, I say to the gentleman that he must have been sound asleep while I was speaking, because I commended him most highly, and the members of his committee, and said that they had nothing to do with the names presented to them, that they were presented by the Treasury Department. It is evident that most of them were Republicans, whose names were put into a hat and were taken out at random by the Treasury Department. The fact is, as I told the gentleman, only one Democrat has been involved or rather been presented to the committee to be smeared.

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield?

Mr. FISH. Oh, I know how holy the gentleman is, and how holy the President is and that no Democrat would take advantage of existing loopholes left by the gentleman's committee.

Mr. DOUGHTON. Not like the gentleman from New York.

Mr. FISH. But I say to you that all we ask is an impartial investigation, not from the Treasury Department but opportunity for us to appear before the gentleman's committee, and we challenge him, and I challenge him now, to take up these Democratic tax returns that I have mentioned and submitted to the gentleman today in writing, and I shall substantiate those charges, and substantiate them by their own income taxes and by their own statements, and not by my own or by the statement of any other Member of the House. I want the gentleman to understand that these charges were made seriously, without any reflection whatever upon the gentleman as chairman or upon any member of his committee, but I have a right as a Member of the House and as a minority member, to ask to come before the gentleman's committee and present evidence upon those cases, and I do not propose to have the gentleman or any one else try to laugh them off, because it is not a laughing matter.



Mr. TREADWAY. Mr. Chairman, I rise in opposition to the pro-forma amendment. I am in general sympathy with the remarks of my friend the gentleman from New York [Mr. FISH], but I think it is only fair to correct, if I may, some of the language that he uses. I personally cannot agree with him that any "charges" have been made against anybody. As I recall, the hearings before the joint committee, there has been but one claim made by the Treasury Department of any illegal action, and that was based on an untrue statement by a taxpayer rather than on any detail of the returns.

My understanding of the word "charge" is that it connotes something corrupt, something wrong, something that ought to be prosecuted. I think the gentleman from New York can well say to investigate the returns, but, personally, as a member of that committee and one of the members of the minority party to which the gentleman from New York belongs, I think the use of a word that indicates something absolutely criminal is not quite fair, either to the Treasury or to the committee or to the people whose returns have been brought to the attention of our committee. I wish the word "charge" might be left out and some other word substituted in the revision of the remarks of the gentleman from New York. I repeat, if I may, the remarks I made a few moments ago, with this same idea in mind. The hearings are not over. Names can be submitted to any member of the committee or to the committee, and, from the assurance that I have received on the floor here and in the committee, I am certain that those returns will be submitted in due course to the committee on request of any member of the committee.

Further than that, I think it may be well to clear up this matter. I have been approached by several different persons, who were wondering whether any refutation of some of the statements that had been made before the committee could be made by those to whom reference has been made. Of course, we have the right to subpoena witnesses, but that does not carry with it any opposition to the appearance of witnesses voluntarily, and I think it is well that the country should know that anyone desiring to be heard upon the general subject matter of tax avoidance and tax evasion by the joint committee should be allowed and will be allowed to submit their names to the chairman or to the clerk of the committee and have an opportunity to appear.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. FISH. I quite agree with the gentleman. Perhaps the word "charge" is too severe, if it connotes anything illegal or unlawful under the law. I never meant anything of that kind. I specifically so stated when I first spoke, and I am willing to use some other more acceptable word that does not carry with it that meaning.

Mr. TREADWAY. I thank the gentleman for his statement.

Mr. WOODRUM. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. DOUGHTON. Mr. Chairman, I rise in opposition to the pro-forma amendment.

Mr. Chairman, the gentleman from New York [Mr. FISH] seemed to think I had understood from his first remarks this afternoon that he was reflecting upon the joint committee. I did not have any such thought as that. I did not intend to leave any such impression by the remarks I made. What I attempted to say and intended to say was that I thought his remarks were unjustified and unfair so far as the action of the Treasury Department was concerned, and the Administration. That is the part to which I took exception, and not any reflection on our committee.

Now, as far as the matter just referred to by the gentleman from Massachusetts [Mr. TREADWAY] is concerned, as

to the parties whose names have been brought out, we are not responsible. If more of them belong to one party than to another, I did not know it. I have not even asked or heard any suggestions as to the political affiliation of any of those whose names have been mentioned. There has been no mention made to me either in committee or privately about it. This is the first time that I have ever known that they practically all belong to one party. I am assured by Dr. Magill, as reliable a man as there is in the United States, that the revenue agents were instructed to take these names wherever they found any indication whatever of any irregularity, and send the tax returns in or make a report on those cases.

Mr. FISH. The gentleman must know that Andrew W. Mellon, former Secretary of the Treasury, is one of the outstanding Republicans.

Mr. DOUGHTON. I believe someone said the greatest since Alexander Hamilton, or the greatest Secretary of the Treasury. [Laughter.]

Mr. FISH. But if his name can be dragged in—

Mr. DOUGHTON. There is nothing wrong about that. The gentleman wanted to bring in the President of the United States. Is Andrew Mellon more holy than the President? The gentleman has been trying to drag the President in all the time.

Mr. FISH. You have already done it.

Mr. DOUGHTON. That is what the gentleman has been trying to do, and still tries to do.

Mr. FISH. Out of 60 names, you just got 1 Democrat. That is the answer.

Mr. DOUGHTON. We are not to blame for that. If there is only one Democrat who has sinned as against a hundred Republicans, we are not to blame for that. It does not surprise me much, however. [Laughter and applause.]

Now, as to the remarks of the gentleman from Massachusetts [Mr. TREADWAY], I appreciate what he says. They are just as fair and fine as they can be. In my opening statement, which I took the pains to reduce to writing so that there could be no misunderstanding or misrepresentation about it, I said that any parties whose names were brought into the hearings would be given full opportunity to come and exonerate themselves or defend themselves or explain anything in connection with the charges, and it will be done, so that they need have no fears of persecution or prosecution unless they have resorted to some crooked or questionable methods.

I do hope the gentleman from New York [Mr. FISH] can be patient. He is a fine gentleman and one of the very active Members of the minority, but he gets impatient. His partisan zeal sometimes overruns his good judgment. I do hope and trust that he will wait until the minority Members at least find some ground for complaint and objection to the way these hearings are being conducted.

Mr. FISH. I will take the gentleman's word that you are going to have a fair and impartial hearing.

Mr. DOUGHTON. The gentleman should do that in deference to the honorable and capable men of the minority who are on that joint committee. I think he owes that to them—to wait and see whether they are able to take care of the situation.

Mr. FISH. I have made no charges against the committee. I will take the gentleman's word for it that there will be an impartial hearing.

Mr. DOUGHTON. We are not going to try to laugh off anything or give anybody immunity as far as my influence can go on that committee. I desire that this investigation shall be one that will commend itself to the fair judgment of the entire country; that it shall not be a partisan investigation but that it shall be a fair and honest investigation, without discrimination or favoritism.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. DOUGHTON] has expired.

All time has expired.

The pro-forma amendments were withdrawn.



The Clerk read as follows:

PAYMENT OF PAGES

For the payment of 21 pages for the Senate and 47 pages for the House of Representatives, at \$4 per day each, for the period commencing July 1, 1937, and ending with the last day of the month in which the Seventy-fifth Congress adjourns sine die at the first session thereof, so much as may be necessary is appropriated for each legislative body.

Mr. DITTER. Mr. Chairman, I move to strike out the last words.

Mr. Chairman, I trust that the distinguished chairman of the Committee on Ways and Means will bide with me and be gracious as he has been to the distinguished gentleman from New York as I make an observation or two respecting this matter that has been under discussion.

Mr. WOODRUM rose.

Mr. DITTER. Now, my distinguished friend from Virginia probably will make a point of order. I ask whether he will indulge me. I am speaking on the words "legislative body." The word "body" was the word I wanted to strike out, and, incidentally, strike at it. Now, I may be subject to a point of order if the gentleman from Virginia presses it.

Mr. WOODRUM. The gentleman anticipates the fact, but I am extremely anxious to get this appropriation bill passed and am torn between two impulses to expedite the bill and to try to be generous to the gentleman.

Mr. DITTER. I have not thrust myself on the graciousness of the gentleman very often.

Mr. WOODRUM. I shall not object to the gentleman's speaking out of order, but I shall be forced to invoke the rule on all other such requests.

Mr. DITTER. Mr. Chairman, I believe we all agree that the matter under discussion with reference to tax avoidance and tax evasion is one that is chargeable entirely to the Ways and Means Committee; in other words, if there are loopholes in the law by which these tax evasions and tax avoidances are possible it is due either to the neglect or to the carelessness of the Ways and Means Committee. This committee for 4 years has had the opportunity of correcting these abuses. The country has been deluged with the paeons of praise of the marvelous things that this New Deal administration has accomplished. During this period of time the distinguished chairman of the Committee on Ways and Means and his very able associates could have changed those things about which there is so much criticism at this time.

I am wondering whether we are proceeding wisely in making such a hue and cry about this matter of tax evasion and tax avoidance in the country right now, whether we are not encouraging the strife and antagonisms that are growing up just as a result of this kind of approach to this subject. I am wondering whether the distinguished chairman of the Committee on Ways and Means and his associates might not have cured these evils without calling any one of these men who have been charged, or at least against whom suspicion has been directed. I am wondering whether the Chief Executive of the United States might not well have directed a suggestion to the distinguished chairman of the Committee on Ways and Means about these loopholes, and that then the chairman of the Committee on Ways and Means and his able committee might have directed their attention during the last 5 months toward a correction of the evils. Since February 6, when the subject of packing the Court was brought before us, the entire legislative program has been stalemated. Why has not the Committee on Ways and Means come here during the last 5 months, as a result of careful analysis and deliberative study and measured judgment, and introduced legislation to correct these conditions?

The fault does not lie with the Ways and Means Committee and certainly not with the energetic and capable chairman of that committee. He is an indefatigable worker, a conscientious public servant, a man of unusual ability who commands the respect and admiration of all. I have a very high regard for him and value the contributions of helpfulness which he brings to the House. The

fault, I say, does not lie there. Unfortunately, it is the result of a system which our Democratic Members have permitted to develop, and which I venture they will deplore before long and regret as much as we do on our side of the aisle. It is the system of absolute subservience to the White House. It is the system which robs this body of its true legislative prerogatives, making of the Members merely approving instruments in the hands of the Executive. It is the system against which many of you rebel in your souls, as you hope for the day when assertiveness may be substituted for submission and articulation may take the place of silence. No; the fault is not the inability nor the unwillingness of the chairman or the committee. It is due to your submissive surrender to the Executive, which will mean ultimately the end of representative government unless, by your independence, there is a reassertion of your rights and a renewed recognition of your privileges.

The investigation being conducted by the special committee on tax avoidance and tax evasions was suggested in a special message from the President. The message was voluminous. It recited instances of avoidance and evasions. Apparently the law needed correction; loopholes were to be plugged. Allegations arresting attention were presented. But what good will come of this investigation? What should be our chief concern? I submit that the Ways and Means Committee could more profitably occupy its time—profitably for the Congress and the country by proceeding at once to a serious, studied consideration of the tax question—especially to those sections in which it is alleged the loopholes exist, and then presenting to the House the amendments to cure the evils. This has been the practice at other times. Nothing has been developed thus far in the hearings which could not have been given the Ways and Means Committee by the Treasury Department. The Treasury Department was in possession of the facts showing the methods and the procedure followed by the alleged tax evaders. The allegations have not been evasions outside the law, but evasions within the law. There can be no serious disagreement with my contention that our task is to tighten up on the law—to make these evasions and avoidances impossible; to get down to the serious business of enacting corrective legislation instead of this boisterous ballyhoo and this blaring of trumpets; to get ourselves out of this stalemated, stagnated inertia and plug up the holes in the tax laws.

Of course, such a policy might not have the news value that the present policy commands. It would mean a new tax bill this year and some of us are of the opinion that the majority is rather eager to do a bit of evading and avoiding itself insofar as voting or even considering a new tax bill this year. Evasions and avoidances on roll calls on embarrassing revenue measures—on the problem of putting on the taxpayer the load of the New Deal extravagance. These evasions and avoidances are also within the law which it would appear should be safeguarded jealously from inquisitorial endeavors, either by our minority or by a troubled tax-paying public.

I am afraid that one of the incidents of this special committee work will be to continue the program of arraying class against class, to increase hatreds, to engender malice, to stir strife, to develop discontent, to arouse passions, and certainly we all agree that these things should be avoided at a time like the present when a state almost approaching civil war exists in many of our industrial districts. Sober, sane men are concerned about present conditions. Strained and anxious faces reflect the serious thoughts of men who study the grave crisis confronting us. Should we add fuel to the fire? Should there be additional hatred, malice, strife, discontent, and passion given to a flame which already is indicative of danger? Have we no duty to preserve domestic tranquillity?

We should not be unmindful of the fact that the Treasury Department has available the service of a distinguished scholar who has made a careful study of taxable incomes. I refer to the Under Secretary, the Honorable Roswell Magill,



who is the author of Taxable Income, and who with Robert H. Montgomery gave to the business and professional world the informative and illuminating volume Federal Taxes on Estates, Trusts, and Gifts. These volumes indicate that Mr. Magill has a profound knowledge of the subject and is conversant with methods pursued to avoid or evade the payment of taxes. Many references might be made to these volumes wherein suggestions are made to the reader of practices to be followed to minimize tax payments. Such inviting and persuasive paragraphs as Different Basis of Estate and Gift Taxes, Double Use of Lower Brackets, Minimizing Estate and Gift Taxes, Minimizing Family Income Taxes, and many others indicate that the Under Secretary is familiar with the methods of which complaint is now made. Surely he could suggest a remedy since he evidences in these volumes a familiarity with the efforts of taxpayers to keep their tax payments to a minimum within the law.

It is to be hoped that the opportunity will be given to the Ways and Means Committee to rid itself of this unnecessary investigation, to apply itself to a correction of the evils, and that it will have the courage not to avoid and evade the responsibility for a tax measure to pay for the New Deal spending.

[Here the gavel fell.]

The Clerk read as follows:

EXECUTIVE  
CIVILIAN CONSERVATION CORPS

For all authorized and necessary expenses to carry into effect the provisions of the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes", approved June 28, 1937, including personal services in the District of Columbia and elsewhere; the purchase and exchange of law books, books of reference, periodicals, and newspapers; rents in the District of Columbia and elsewhere; the purchase (including exchange), operation, maintenance, and repair of motor-propelled and horse-drawn passenger-carrying vehicles to be used only for official purposes; hire, with or without personal services, of work animals, animal-drawn and motor-propelled vehicles, and watercraft; printing and binding; travel expenses, including not to exceed \$2,000 for expenses of attendance at meetings concerned with the work of the Corps when specifically authorized by the Director; construction, improvement, repair, and maintenance of buildings, but the cost of any building erected hereunder shall not exceed \$25,000; and all other necessary expenses; fiscal year 1938, \$350,000,000, of which sum not to exceed \$240,000 may be expended for salaries and expenses of the Office of the Director: *Provided*, That an enrollee in the Civilian Conservation Corps, or member, or former member, of the Military Establishment, who shall furnish blood from his or her veins for transfusion to the veins of an enrollee or discharged enrollee of the Civilian Conservation Corps undergoing treatment in a Government or civilian hospital authorized to treat such patient, shall be entitled to be paid therefor a reasonable sum not to exceed \$50: *Provided further*, That the employment of employees of the Emergency Conservation Work and of the cooperating Federal agencies whose compensation is paid from Emergency Conservation Work funds, as of June 30, 1937, and whose employment was not specifically terminated as of that date, may be continued without reappointment, subject to review by the Director.

With the following committee amendment:

Page 3, line 15, strike out "\$240,000" and insert "\$200,000."

The committee amendment was agreed to.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 3, line 14, after the figures "1938", strike out "\$350,000,000" and insert "\$320,000,000."

Mr. TABER. Mr. Chairman, this is the amendment about which I spoke a little while ago. The idea is just this: The authorized strength of the C. C. C. has been reduced from 350,000 to 300,000 and the estimates on that basis, considering what has been spent this year, would be approximately \$320,000,000 instead of \$350,000,000. Frankly, I do not believe that the limitation of 300,000 authorized strength—and this authorized number is the maximum that can be there when the enlistment dates come around—July, October, January, and April. Then it gradually reduces until the next enlistment date. I do not believe that more funds in fairness can be used than \$320,000,000.

Mr. RAMSPECK. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. RAMSPECK. As I recall the bill passed provided that the strength of the corps should be 300,000 men not including veterans and Indians. These classes would bring the total to 315,000.

Mr. TABER. That is true; but the number before was 365,000; so the percentage figures I have used would apply.

Mr. RAMSPECK. Another matter of which the gentleman should take consideration is that the regulations for admission have been changed and no longer require the men to come from relief rolls. We shall, therefore, have many more applicants.

Mr. TABER. They will no longer come from the relief rolls, but between enlistment dates the number will drop down and we could not, therefore, have any larger percentage of men in the corps than we have had. I believe that if they manage this thing right this \$30,000,000 cut is entirely justified; and I hope that the House will save some money by adopting the amendment.

[Here the gavel fell.]

Mr. WOODRUM. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WOODRUM. Mr. Chairman, I am sympathetic, of course, with any suggestion looking toward the saving of money; but the suggestion of a cut of that amount in this appropriation is not justified by the evidence adduced at the hearings. In the first place, at the present time, today, the requirements for enlistment in the C. C. C. camps is that the boys shall come from the relief rolls, and there are many places in the country where there are no boys on relief rolls to qualify and who can enlist in the C. C. C. camps. Because of this the enlisted strength has dropped way down. An entirely different situation is set up, however, under the new bill. Under this bill the only requirement for enlistment is that they be unemployed and in need. The result will be that we will have them standing in line at the C. C. C. camps asking for admittance and enrollment. The testimony of Mr. McEntee was that the selecting agency had sufficient applications to enroll 100,000 boys. We need only 54,000 to bring the number up to the authorized total. That is just the picture we are going to have.

This estimate is based upon an average enrolled strength of 290,000. In my judgment—and in the judgment of the majority, I may say—that is not too much to take care of it, and I think a cut in this appropriation would mean it would not be possible to carry that enrolled strength in the camps, which would mean closing more camps; and I do not think the Members want to see that done. I hope the Committee will not cut the appropriation.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The amendment was rejected.

The Clerk read as follows:

RAILROAD RETIREMENT BOARD

Railroad retirement account: For an amount sufficient as an annual premium for the payments required under the Railroad Retirement Act approved August 29, 1935, and the Railroad Retirement Act approved June 24, 1937, and authorized to be appropriated to the railroad retirement account established under section 15 (a) of the latter act, fiscal years 1937 and 1938, \$99,880,000, together with the unexpended balance of the appropriation for the payment of annuities to employees, representatives, widows, widowers, or dependent next of kin of employees, contained in the "Independent Offices Appropriation Act, 1937", and reappropriated in the "Independent Offices Appropriation Act, 1938": *Provided*, That such amount shall be available until expended for making payments required under said retirement acts, and the amount not required for current payments shall be invested by the Secretary of the Treasury in accordance with the provisions of said Railroad Retirement Act of June 24, 1937: *Provided further*, That all payments under sections 3, 4, and 5 of the Railroad Retirement Act, 1935, heretofore made from the appropriation contained in the "Independent Offices Appropriation Act, 1937", and reappropriated in the "Independent Offices Appropriation Act, 1938", shall be considered as having been made from the railroad retirement account herein established.

Mr. DOUGHTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from Pennsylvania criticized the Ways and Means Committee and myself as chairman of that committee for trying to do the very thing which he also criticizes us for not doing. He criticized us very severely for trying to stop up the loopholes and he criticized us severely for not having done that in the past, but I do not believe he wants to say that.

Mr. DITTER. Will the gentleman yield?

Mr. DOUGHTON. No; not unless I misquoted the gentleman. The gentleman criticized the Ways and Means Committee and said if we had done our duty in the past there would be no need for the present investigation and effort now being made to stop up the loopholes.

Mr. DITTER. Will the gentleman yield?

Mr. DOUGHTON. No.

Mr. DITTER. I have been gracious to the gentleman in times past and I hope he will be courteous with me.

Mr. DOUGHTON. All right. Go ahead.

Mr. DITTER. Is it not true that in times past matters of this kind have come to the attention of the Ways and Means Committee, and without any ballyhoo, without any blaring of trumpets, the Ways and Means Committee has set about to correct the evils, but in this instance there has been a distinct deviation and a blaring of trumpets and ballyhoo about this matter that heretofore has been corrected without all that effort?

Mr. DOUGHTON. That is the trouble, they were not all corrected. We went as far as we could. We have stopped up enough of the loopholes to save the Treasury of the United States between two and three hundred million dollars. We do not expect to be able to stop all of the loopholes any more than the courts can do away with all criminals. As soon as we get new information and evidence upon which to proceed, why, of course, we proposed in the future as we have in the past to proceed, regardless of the gentleman's criticism and his imputation of lack of diligence or lack of ability. The committee will in the future as in the past, as far as it is able, and with as little ballyhoo as possible, endeavor to correct the situation.

Mr. Chairman, I know the gentleman is disturbed, as has been indicated this afternoon. He is high up in his own party and regrets, of course, to see the names of prominent members of that party brought out in the hearing. But if so, let them take their medicine. Let the chips fall where they may. The gentleman should not be unduly disturbed; because the Ways and Means Committee has not been able to prevent all tax avoidance and tax evasion is no reason why we should not at this time, at the request of the administration and the Treasury Department, proceed as diligently as we can, and I hope successfully, to stop up some more loopholes. We do not expect to be able to do away with all the rascals in the country. As fast as we stop up one loophole, ingenious lawyers will find another way to evade the tax laws. But when we discover them, we can go after them. We cannot give up because we have not done it all at one time.

Mr. DITTER. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Pennsylvania.

Mr. DITTER. Is it not the reasoned judgment of the gentleman that the same result could have been brought about by having the Treasury lay before the committee the facts which it had, and without calling upon the men in an inquisitorial way, develop the facts without all this blare of trumpets?

Mr. DOUGHTON. I do not think so. I think men who would resort to questionable, unscrupulous, and dishonest means, although it may have been done within the letter of the law, to evade payment of taxes, should be pilloried before the public and the public should know what they are doing. That is one of the most effective ways to stamp out such evils.

Mr. DITTER. Does the gentleman mean that is in accordance with the administration's policy of arraying class against class?

Mr. DOUGHTON. I do not. Neither is in accordance with the policy of our committee.

Mr. DITTER. It is in accordance with the consistent policy of the administration.

Mr. DOUGHTON. I do not concede that.

Mr. BOILEAU. Mr. Chairman, I rise in opposition to the pro-forma amendment.

Mr. Chairman, I want to make just one observation. From what I have been able to learn from reading the newspapers—and that is all the information that I have about this investigation thus far—there have been no methods brought to light that have been employed by income-tax payers to avoid or evade the payment of taxes that were not brought to the attention of Congress in the President's message. The President's message outlined numerous methods that were employed by various taxpayers in order to avoid payment of taxes. I have not yet learned of one additional method that has been employed by a taxpayer as a result of this investigation. I may be in error. If I am, I will be glad to have the gentleman from North Carolina, or any other member of the committee, point out wherein I am in error.

Mr. Chairman, if I am not in error in this respect, I want to predict now that at the end of this investigation you will not have found any other method that has been employed that was not fully explained and pointed out in the President's message. I merely make this statement to vindicate the position I took at the time the investigation was brought about. At that time I said that instead of having an investigation we should act for the purpose of plugging up the loopholes which were brought to our attention at that time. We should have plugged up those loopholes then, and if there was need for further investigation to discover new and additional loopholes, I, for one, would not object to a further investigation, and would be willing to go along. I am very sure, however, we are not going to get any place and no further than we would have gotten if we had passed a law plugging up the loopholes on the day the President's message was brought to us.

[Here the gavel fell.]

Mr. BIERMANN. Mr. Chairman, I move to strike out the last three words in order to ask the chairman one or two questions.

I notice the appropriation for the Railroad Retirement Act is \$99,883,000 plus unexpended balances. Will the chairman tell us approximately the amount of such unexpended balances?

Mr. WOODRUM. They have about \$41,000,000 in the present fund. This appropriation is made necessary because the new Railroad Retirement Act which we passed brings in and makes subject to pensions and retirement benefits about 50,000 additional employees who were not within the group before.

Mr. BIERMANN. Then the actual amount to be expended during the coming fiscal year for railroad retirement by the Government would be about \$140,000,000?

Mr. WOODRUM. In the fund, but not to be expended. This goes into the building up of a revolving fund which is required by the act. All this money will not be actually expended in 1938. The funds are invested in Government securities and constitute a revolving fund which we build up by annual appropriations.

Mr. BIERMANN. Will the gentleman state whether or not the expectation is that this will be about the annual appropriation?

Mr. WOODRUM. I do not think anybody can say that, I may say to the gentleman. It depends on the number of employees who apply and are found subject to the benefits of the act.

Mr. BIERMANN. We cannot know the cost until we get a little experience?

Mr. WOODRUM. That is it.



Mr. DOWELL. Mr. Chairman, if the gentleman will yield, can the gentleman tell us how much money will be covered into this fund by the employees or the employers under the law?

Mr. WOODRUM. It will be covered into the Treasury. It does not go into the fund. About \$130,000,000, as I recall it.

Mr. TABER. If the gentleman will permit, \$130,000,000 a year is what this is supposed to yield.

Mr. WOODRUM. One hundred and thirty million dollars a year.

Mr. DOWELL. That will be the average?

Mr. TABER. That is what it is estimated it will be next year. The rates are higher thereafter.

Mr. DOWELL. Then the amount will be larger?

Mr. TABER. Probably.

Mr. DOWELL. How much will the Treasury, then, be called upon to contribute to this amount?

Mr. WOODRUM. It all comes out of the Treasury, but the Government is not called upon to contribute anything.

Mr. DOWELL. That is what I understood. Then, as I understand the gentleman, the Government will in the end not appropriate any money which is not paid into the Treasury by the employers and the employees?

Mr. WOODRUM. That is the theory of the legislation.

The Clerk read as follows:

#### DEPARTMENT OF AGRICULTURE

Rent of buildings: Not to exceed \$30,000 of such funds available to the Department of Agriculture for the fiscal year 1938, as the Secretary of Agriculture may determine, may be transferred to the appropriation for rent of buildings in the District of Columbia for such Department for such fiscal year.

Mr. COCHRAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COCHRAN: On page 5, after line 12, insert a new paragraph, as follows:

#### "TREASURY DEPARTMENT

"For the establishment of 'The Fund for the Payment of Government Losses in Shipment', authorized by 'The Government Losses in Shipment Act', \$500,000."

Mr. COCHRAN. Mr. Chairman, the House has agreed to the Senate amendment, which completes the legislation necessary to set up a revolving fund to take the place of the private insurance the Government has been carrying to insure valuable shipments. The bill requires \$500,000 to be appropriated, which is more or less a bookkeeping transaction. During the present week the Treasury Department has renewed the insurance it carries with a private corporation, but there is a specific proviso in the contract to the effect that when this bill becomes effective the contract ceases.

The Director of the Budget has just told me that if this item is carried in the pending bill the Government is saved approximately \$1,200 a day. If the item is not carried in the bill, the appropriation will not be available until the deficiency bill is passed. The deficiency bill will come in at the close of the session, and no one knows when that will be. If you desire to save \$1,200 a day, this amendment should be agreed to.

Mr. WOODRUM. Mr. Chairman, I may say I have examined the matter the gentleman suggests, and the committee has been notified that the Budget approves the amendment. I think the gentleman's amendment should be agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. COCHRAN].

The amendment was agreed to.

Mr. WOODRUM. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Page 5, after the Cochran amendment, insert the following:

"Sec. 2. The appropriations and authority with respect to appropriations contained herein shall be available from and including July 1, 1937, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the

period between June 30, 1937, and the date of the enactment of this joint resolution in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof."

The committee amendment was agreed to.

Mr. WOODRUM. Mr. Chairman, I move that the Committee do now rise and report the joint resolution back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the joint resolution, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HOBBS, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the joint resolution (H. J. Res. 433) making appropriations for the fiscal year ending June 30, 1938, for the Civilian Conservation Corps, the railroad retirement account, and other activities, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

Mr. WOODRUM. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### REPORT ON REORGANIZATION OF THE FEDERAL JUDICIARY

Mr. LAMBETH. Mr. Speaker, by direction of the Joint Committee on Printing, I send to the desk a privileged resolution for immediate consideration.

The Clerk read as follows:

#### Senate Concurrent Resolution 17

*Resolved by the Senate (the House of Representatives concurring), That there shall be printed 30,000 additional copies of Senate Report No. 711, current session, on the bill (S. 1392) to reorganize the judicial branch of the Government, of which 7,000 copies shall be for the use of the Senate document room and 23,000 copies for the use of the House document room.*

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### AMENDMENT OF SECTION 4471 OF THE REVISED STATUTES

Mr. BLAND. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 434) to amend the act entitled "An act to amend section 4471 of the Revised Statutes of the United States, as amended", which I send to the Clerk's desk.

The Clerk read the title of the joint resolution.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the bill and, particularly, why it is necessary to pass the measure at this time?

Mr. BLAND. The reason it is necessary to pass the joint resolution at this time is this: Last year we passed a bill requiring automatic sprinklers to be installed on certain ships and provided that on and after July 1, 1937, they should not sail unless they had them on. They undertook to put them on, and there are 41 ships that have been equipped and 61 ships on which the work is 50 percent completed. Unless this bill is passed these ships will be prevented from sailing. The delay has been due to strikes and various other causes of that nature. It is an emergency matter.

Mr. MARTIN of Massachusetts. And this joint resolution gives them further opportunity to meet the law.

Mr. BLAND. Yes; and one of the sprinkler-system concerns telegraphed asking that this be done.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the joint resolution, as follows:

House Joint Resolution 434

*Resolved, etc.,* That the act entitled "An act to amend section 4471 of the Revised Statutes of the United States, as amended" (Public, No. 712, 74th Cong.), approved June 20, 1936, is amended by striking out "July 1, 1937" in the first line of the second paragraph thereof and inserting in lieu thereof "October 1, 1937."

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to print in the Appendix of the RECORD an address delivered by our colleague the gentleman from Ohio [Mr. BIGELOW].

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. DOUGHTON. Mr. Speaker, I offer a privileged resolution, which I send to the Clerk's desk.

The Clerk read as follows:

House Resolution 267

*Resolved, That* EDWARD L. O'NEILL, of New Jersey, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on the District of Columbia.

The resolution was agreed to.

CALENDAR WEDNESDAY

The SPEAKER. Today is Calendar Wednesday. The Clerk will call the roll of committees.

SLUM CLEARANCE AND HOUSING UNDERTAKINGS IN HAWAII

Mr. GREEN (when the Committee on the Territories was called). Mr. Speaker, by direction of the Committee on the Territories, I call up the bill (H. R. 7378) to authorize the Legislature of the Territory of Hawaii to create a public corporate authority authorized to engage in slum clearance and housing undertakings and to issue bonds of the authority, to authorize said legislature to provide for financial assistance to said authority by the Territory and its political subdivisions, and for other purposes.

The Clerk read the title of the bill.

Mr. GREEN. Mr. Speaker, I ask unanimous consent that Senate bill 2622 of similar title be substituted for the House bill and be considered in the House as in the Committee of the Whole at this time.

The SPEAKER. The gentleman from Florida asks unanimous consent that Senate bill 2622 be substituted for the House bill. Is there objection?

Mr. ENGLEBRIGHT. Mr. Speaker, I reserve the right to object. I would like to have the Delegate from Hawaii [Mr. KING] given an opportunity for a few minutes to explain the bill before the House.

The SPEAKER. The gentleman will have that opportunity, undoubtedly. The gentleman from Florida is entitled to 1 hour. Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the Legislature of the Territory of Hawaii may create a public corporate authority to engage in slum clearance, or housing undertakings, or both, within such Territory. The legislature of said Territory may provide for the appointment and terms of the members of such authority and for the powers of such authority, except that such authority shall be given no power of taxation. The legislature may authorize the Territory or any political or municipal corporation or subdivision thereof to make loans, donations, and conveyances and make available their facilities and services to such authority, and to take other action in aid of slum clearance or housing undertakings, and may, without regard to any Federal acts restricting the disposition of public lands of the Territory, authorize the commissioner of public lands, the Hawaiian Homes Commissioners, and any other officers of the Territory having power to manage and dispose of its public lands, to grant, convey, or lease to such authority parts of the public domain, and may provide that any of the public domain or other property acquired by such authority may be mortgaged by it as

security for its bonds. The legislature of said Territory may authorize such authority to issue bonds or other obligations of such character and maturity and in such manner as the legislature may provide. Such bonds shall not be a debt of the Territory or any political or municipal corporation or subdivision thereof, shall not constitute public indebtedness within the meaning of section 55 of the act approved April 30, 1900, entitled "An act to provide a government for the Territory of Hawaii", as amended, and shall not constitute bonds of the Territory of Hawaii within the meaning of the act approved August 3, 1935, entitled "An act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes." All legislation heretofore enacted by the Legislature of the Territory of Hawaii dealing with the subject matter of this act and not inconsistent herewith is hereby ratified and confirmed.

Mr. GREEN. Mr. Speaker, I yield 2 minutes to the Delegate from Hawaii [Mr. KING].

Mr. KING. Mr. Speaker, the Territory of Hawaii has organized a housing authority in accordance with the model legislation proposed by the Department of the Interior. Under the organic act it is necessary to secure the approval of the Congress before that authority can function. This bill simply confirms the creation of the Housing Authority in accordance with the existing legislation, and makes no demands upon the Federal Treasury of any sort. The bonds to be issued by the Housing Authority are to be secured by the property of the Authority.

Mr. GREEN. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 7378) was laid on the table.

ISSUANCE OF CERTAIN BONDS, TERRITORY OF HAWAII

Mr. GREEN. Mr. Speaker, by direction of the Committee on the Territories, I call up the bill (H. R. 7489) to amend an act entitled "An act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes", approved August 3, 1935, and ask unanimous consent that Senate bill 2653, of identical title and text, be substituted for the House bill and be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Florida calls up the bill H. R. 7489 and asks unanimous consent to substitute therefor the bill S. 2653, of similar title. Is there objection?

Mr. ENGLEBRIGHT. Mr. Speaker, I reserve the right to object. Is the Senate bill identical with the House bill?

Mr. GREEN. It is identical.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the first paragraph of section 2 of the act entitled "An act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes", approved August 3, 1935, is hereby amended to read as follows:

"SEC. 2. That the Territory of Hawaii, any provision of the Hawaiian Organic Act or of any act of this Congress to the contrary notwithstanding, is authorized and empowered to issue bonds in the sum of not to exceed \$4,803,000 of the character and in the manner provided in that certain act of the legislature of said Territory, enacted at its regular session of 1935, entitled 'An act to provide for public improvements and for the securing of Federal funds for expenditure in connection with funds hereby appropriated for such improvements', as amended by act 23, Session Laws of Hawaii, 1937."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

A House bill (H. R. 7489) was ordered to lie on the table.

SEWER BONDS, CITY OF HONOLULU

Mr. GREEN. Mr. Speaker, by direction of the Committee on Territories I call up the bill (H. R. 7377) to enable the Legislature of the Territory of Hawaii to authorize the city



and county of Honolulu, a municipal corporation, to issue sewer bonds, and ask unanimous consent that the bill S. 2621, an identical bill, be substituted for the House bill and be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Florida calls up the bill H. R. 7377, and asks unanimous consent to substitute therefor the bill S. 2621 and to consider the same in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the Legislature of the Territory of Hawaii, any provision of the Hawaiian Organic Act or of any act of this Congress to the contrary notwithstanding, may authorize the city and county of Honolulu, a municipal corporation of the Territory of Hawaii, to issue general obligation bonds in the sum of \$1,750,000 for the purpose of enabling it to construct main interceptors and trunk lines and to meet its share of expenses for the construction and extension of laterals under improvement district assessments for a sanitary sewer system in the city and county of Honolulu.

SEC. 2. The bonds issued under authority of this act may be either term or serial bonds, maturing, in the case of term bonds, not later than 30 years from the date of issue thereof, and, in the case of serial bonds, payable in substantially equal annual installments, the first installment to mature not later than 5 years and the last installment to mature not later than 30 years from the date of such issue. Such bonds may be issued without the approval of the President of the United States.

SEC. 3. Any legislation enacted by the Legislature of the Territory of Hawaii in its 1937 session pertaining to the issuance of sewer bonds, as authorized by this act, is hereby ratified and confirmed, subject to the provisions of this act: *Provided, however,* That nothing herein contained shall be deemed to prohibit the amendment of such Territorial legislation by the Legislature of the Territory of Hawaii from time to time to provide for changes in the improvements authorized by such legislation and for the disposition of unexpended moneys realized from the sale of said bonds.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 7377) was ordered to lie on the table.

#### ISSUANCE OF CERTAIN BONDS, TERRITORY OF HAWAII

Mr. GREEN. Mr. Speaker, by direction of the Committee on the Territories, I call up the bill (H. R. 7490) to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes, and ask unanimous consent to substitute therefor the bill S. 2652, an identical bill, and consider the same in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Florida calls up the bill H. R. 7490, and asks unanimous consent to substitute therefor the bill S. 2652, an identical bill, and to consider the same in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the Territory of Hawaii, any provision of the Hawaiian Organic Act, or of any act of this Congress to the contrary notwithstanding, is authorized and empowered to issue bonds in the sum of not to exceed \$4,029,000 of the character and in the manner provided in that certain act of the legislature of said Territory, enacted at its regular session of 1937, entitled "An act to provide for public improvements."

Such bonds may be either term or serial bonds, maturing, in the case of the term bonds, not later than 30 years from the date of issue thereof, and, in the case of the serial bonds, payable in substantially equal annual installments, the first installment to mature not later than 5 years and the last installment to mature not later than 30 years from the date of such issue. And said act of said legislature is hereby ratified and confirmed, subject to the provisions of this act: *Provided, however,* That nothing herein contained shall be deemed to prohibit the amendment of said act of said Territory by the legislature thereof from time to time to provide for changes in the improvements authorized by said act or for the disposition of unexpended moneys appropriated by said act, and that said bonds may be issued without the approval of the President of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 7490) was ordered to lie on the table.

#### HAWAIIAN HOMES COMMISSION ACT, 1920

Mr. GREEN. Mr. Speaker, by the direction of the Committee on the Territories, I call up the bill (H. R. 7374) to amend the Hawaiian Homes Commission Act, 1920.

The Clerk read the title of the bill.

Mr. GREEN. Mr. Speaker, I ask unanimous consent that the bill S. 2620 be substituted for the House bill, and that the same be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. DOWELL. Mr. Speaker, reserving the right to object, is the Senate bill identical with H. R. 7374?

Mr. GREEN. The form in which the bill passed the Senate, having been amended in the Senate, is the same form that the House bill was reported by the House committee.

Mr. DOWELL. In other words, as reported, H. R. 7374 is identical with the Senate bill as it passed the Senate?

Mr. GREEN. As it passed the Senate.

Mr. ENGLEBRIGHT. Mr. Speaker, reserving the right to object in order to ask the Delegate from Hawaii [Mr. KING] a question. Will the gentleman state to the House whether or not this bill places any obligation, financial or otherwise, upon the Federal Government, and just briefly what the conditions may be?

Mr. KING. Mr. Speaker, I shall be glad to state that. In 1921 the Congress of the United States established the Hawaiian Homes Commission for the rehabilitation of people of Hawaiian blood in the Territory of Hawaii. The entire project has been supported by local funds. During the course of years different amendments have appeared advisable. The measure now being considered proposes a number of minor amendments to perfect the bill. It does not incur any obligation on the part of the Federal Government. It only carries out the rehabilitation program in Hawaii, which is entirely financed by Territorial funds.

I should like to correct the answer made by the gentleman from Florida [Mr. GREEN] to the question asked by the gentleman from Iowa [Mr. DOWELL]. The way the bill passed the Senate, the amendments approved by the House committee were incorporated in the Senate bill. If we accept the Senate bill, that carries out the intention of the House Committee on the Territories.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield for a question?

Mr. KING. I yield.

Mr. MARTIN of Massachusetts. Can the gentleman tell us how many homes have been constructed under this Commission?

Mr. KING. There are four projects, two on the Island of Oahu, one on the island of Molokai, and one on the Island of Hawaii, each project taking care of about 200 families, with a total of over 4,000 people of Hawaiian blood living in either house lots or on small farms. This has been done at a net cost that makes it a very creditable picture in comparison with Resettlement Administration figures.

Mr. MARTIN of Massachusetts. What has been the cost?

Mr. KING. So far the entire amount spent in the 15 years that the rehabilitation program has been in effect is less than \$1,500,000, all of which came from Territorial funds.

Mr. MARTIN of Massachusetts. You should come over and instruct some of the departments in Washington. [Laughter.]

Mr. KING. It has been quite a successful program, and this would carry it on even to a greater degree of success.

Mr. DOWELL. Mr. Speaker, will the gentleman yield for a further question?

Mr. KING. I shall be glad to yield.

Mr. DOWELL. How many acres, approximately, under the general law of 1921 have been turned over to the Hawaiian Homes Commission?

Mr. KING. At the time the Congress passed the original act they turned over the remaining public lands in the Territory, with a few exceptions, excluding certain areas of cane lands, amounting to about 208,000 acres, not all of which,

of course, has been developed for the purpose of the act, but all of which is under the jurisdiction of the Hawaiian Homes Commission, available for the extension and further development of this rehabilitation program.

I should like to say further to the gentleman from Iowa [Mr. DOWELL] that I know of his keen interest in this program, since he was in Congress when the original Hawaiian Homes Act was passed and participated in the discussions of that measure, and helped to have it enacted into law. We of Hawaii appreciate the sympathetic attention which Congress has shown in the success of the rehabilitation of the Hawaiian people, and I want to assure the membership of the House that the program has had a considerable degree of success, that we are learning from experience as we go along, and that this bill will provide the Commission with better legislative means for carrying out the original purpose of the act. I want to express my personal appreciation of the support of the chairman of the Committee on the Territories, the gentleman from Florida [Mr. GREEN] and of the membership of that committee.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. GREEN]?

There was no objection.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That sections 203 (1), 203 (4), 204 (2), 207 (1), 208, 208 (1), 208 (5), 208 (6), 208 (7), 209 (1), 209 (2), 209 (3), 209 (4), 215 (1), 215 (2), 215 (3), 216, and 220 of the Hawaiian Homes Commission Act, 1920, be amended to read as follows:

"SEC. 203. (1) On the island of Hawaii: Kamaca-Puueo (11,000 acres, more or less), in the district of Kau; Puukapu (12,000 acres, more or less), Kawaihae 1 (10,000 acres, more or less), and Pauahi (750 acres, more or less), in the district of South Kohala; Kamoku-Kaupalena (5,000 acres, more or less), Waimanu (200 acres, more or less), and Nienle (7,350 acres, more or less), in the district of Hamakua; 53,000 acres to be selected by the Commission from the lands of Humuula Mauka, in the district of North Hilo; Panaewa, Waiakea (2,000 acres, more or less), Waiakea-kai, or Keaukaha (2,000 acres, more or less), and 2,000 acres of agricultural lands to be selected by the Commission from the lands of Pihonua, in the district of South Hilo; and 2,000 acres to be selected by the Commission from the lands of Kaohi-Makuu, in the district of Puna; land at Keaukaha, Hawaii, more particularly described as follows:

"PARCEL I

"Now set aside as Keaukaha Beach Park by Executive Order No. 421, and being a portion of the Government land of Waiakea, South Hilo, Hawaii.

"Beginning at the southeast corner of this parcel of land, on the north side of Kalaniana'ole Road, the coordinates of said point of beginning referred to Government survey triangulation station 'Halai' being 5,681.12 feet north and 17,933.15 feet east, as shown on Government Survey Registered Map No. 2704, and running by true azimuths:

"1. Sixty-one degrees fifty-eight minutes 1,351.73 feet along the north side of Kalaniana'ole Road (50 feet wide);

"2. One hundred and fifty-one degrees fifty-eight minutes 840 feet along United States military reservation for river and harbor improvements (Executive Order No. 176);

"Thence along the seashore at high-water mark, the direct azimuths and distances between points at seashore being:

"3. Two hundred and eighty-two degrees no minutes 468.50 feet;

"4. Three hundred and thirteen degrees twenty minutes 441 feet;

"5. Two hundred and sixty degrees twenty minutes 140 feet;

"6. Two hundred and forty-two degrees twenty minutes 250 feet;

"7. One hundred and eighty-eight degrees forty minutes 60 feet;

"8. Two hundred and seventy-two degrees twenty minutes 170 feet;

"9. Two hundred and five degrees no minutes 60 feet;

"10. One hundred and ten degrees twenty minutes 220 feet;

"11. Ninety degrees fifty minutes 80 feet;

"12. One hundred and sixty-two degrees no minutes 170 feet;

"13. Two hundred and fifty degrees thirty minutes 430 feet;

"14. Three hundred and thirty-one degrees fifty-eight minutes 380 feet along parcel II of Government land to the point of beginning and containing an area of 11.20 acres, more or less.

"PARCEL II

"Being a portion of the Government land of Waiakea, South Hilo, Hawaii, and located on the north side of Kalaniana'ole Road and adjoining parcel I, hereinbefore described.

"Beginning at the south corner of this parcel of land, on the north side of Kalaniana'ole Road, the coordinates of said point of beginning referred to Government survey triangulation station 'Halai' being 5,681.12 feet north and 17,933.15 feet east and running by true azimuths:

"1. One hundred and fifty-one degrees fifty-six minutes 380 feet along the east boundary of parcel I;

"2. Two hundred and twenty-nine degrees forty-five minutes thirty seconds 191.01 feet;

"3. One hundred and ninety-eight degrees no minutes 230 feet to a 1½-inch pipe set in concrete;

"4. Three hundred and seven degrees thirty-eight minutes 562.21 feet to a 1½-inch pipe set in concrete;

"5. Twenty-eight degrees no minutes 121.37 feet to the north side of Kalaniana'ole Road;

"6. Sixty-one degrees fifty-eight minutes 463.21 feet along the north side of Kalaniana'ole Road to the point of beginning and containing an area of 5.26 acres, more or less.

"SEC. 203. (4) On the island of Oahu: Nanakuli (3,000 acres, more or less), and Luaiualei (2,000 acres, more or less), in the district of Waianae; and Waimanalo (4,000 acres, more or less), in the district of Koolau, excepting therefrom the military reservation and the beach lands; and those certain portions of the lands of Auwalolimu, Kewalo, and Kalawahine described by metes and bounds as follows, to wit:

"(I) Portion of the Government land at Auwalolimu, Punchbowl Hill, Honolulu, Oahu, described as follows:

"Beginning at a pipe at the southeast corner of this tract of land, on the boundary between the lands of Kewalo and Auwalolimu, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being 1,135.9 feet north and 2,557.8 feet east as shown on Government survey registered map no. 2692, and running by true azimuths:

"1. One hundred and sixty-three degrees thirty-one minutes 257.8 feet along the east side of Punchbowl-Makiki Road;

"2. Ninety-four degrees eight minutes 124.9 feet across Tantalus Drive and along the east side of Puuowaina Drive;

"3. One hundred and thirty-one degrees thirteen minutes 232.5 feet along a 25-foot roadway;

"4. One hundred and thirty-nine degrees fifty-five minutes 20.5 feet along same;

"5. One hundred and sixty-eight degrees seventeen minutes 257.8 feet along Government land (old quarry lot);

"6. One hundred and fifty-six degrees thirty minutes 333 feet along same to a pipe;

"7. Thence following the old Auwalolimu stone wall along L. C. award 3145 to Laenui, grant 5147 (lot 8 to C. W. Booth), L. C. award 1375 to Kapule, and L. C. award 1355 to Kekuanoni, the direct azimuth and distance being 249°41' 1,303.5 feet;

"8. Three hundred and twenty-one degrees thirty-two minutes, 693 feet along the remainder of the land of Auwalolimu;

"9. Fifty-one degrees, twelve minutes, 1,400 feet along the land of Kewalo to the point of beginning; containing an area of 27 acres; excepting and reserving therefrom Tantalus Drive and Auwalolimu Street crossing this land;

"(II) Portion of the land of Kewalo, Punchbowl Hill, Honolulu, Oahu, being part of the lands set aside for the use of the Hawaii Experiment Station of the United States Department of Agriculture by proclamation of the Acting Governor of Hawaii, dated June 10, 1901, and described as follows:

"Beginning at the northeast corner of this lot, at a place called 'Puu Ea', on the boundary between the lands of Kewalo and Auwalolimu, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being 3,255.6 feet north and 5,244.7 feet east, as shown on Government survey registered map no. 2692 of the Territory of Hawaii, and running by true azimuths:

"1. Three hundred and fifty-four degrees thirty minutes 930 feet along the remainder of the land of Kewalo to the middle of the stream which divides the lands of Kewalo and Kalawahine;

"2. Thence down the middle of said stream along the land of Kalawahine, the direct azimuth and distance being 49°16' 1,512.5 feet;

"3. One hundred and forty-one degrees twelve minutes 860 feet along the remainder of the land of Kewalo;

"4. Two hundred and thirty-one degrees twelve minutes 552.6 feet along the land of Auwalolimu to 'Puu Iole';

"5. Thence still along the said land of Auwalolimu following the top of the ridge to the point of beginning, the direct azimuth and distance being 232°26' 1,470 feet and containing an area of 30 acres; excepting and reserving therefrom Tantalus Drive crossing this land;

"(III) Portion of the land of Kalawahine situate mauka or northeast of Roosevelt High School, Honolulu, Oahu.

"Being portion of L. C. award 11215, Apana 2, to Keliiahonui conveyed by W. M. Giffard to the Territory of Hawaii by deed dated February 1, 1907, and recorded in Liber 291, page 1.

"(Being portion of the lands set aside for the Hawaiian Homes Commission by the Seventy-third Congress by Act No. 227, approved May 16, 1934.)

"Beginning at the south corner of this parcel of land and near the east corner of Roosevelt High School lot, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being 25.02 feet south and 4,117.39 feet east as shown on Government survey registered map no. 2985 and running by azimuths measured clockwise from true south:

"1. One hundred and twenty-eight degrees fifty-four minutes 706.13 feet along Roosevelt High School lot, and passing over a pipe at 684.13 feet;

"2. Thence up along the middle of stream in all its turns and windings along the land of Kewalo-uka to the south corner of Hawaiian Home land (Presidential Executive Order No. 5561), the direct azimuth and distance being 213°48'40" 1,112.20 feet;



"3. Thence continuing up along the middle of stream in all its turns and windings along the land of Kewalo-uka (Presidential Executive Order No. 5561), to the south side of Tantalus Drive realignment, the direct azimuth and distance being 228°29'10" 1,391 feet;

"4. Thence on a curve to the right with a radius of 120.78 feet along the southerly side of Tantalus Drive realignment (60 feet wide), the direct azimuth and distance being 358°21' 193.80 feet;

"5. Fifty-one degrees forty-two minutes 193.35 feet along the southerly side of Tantalus Drive realignment;

"6. Thence on a curve to the left with a radius of 330 feet, along same, the direct azimuth and distance being 25°23'10" 292.58 feet;

"7. Twenty-two degrees fifty-three minutes 291.93 feet along the southerly side of Tantalus Drive realignment and along the west side of Kalawahine Slope lots;

"8. Thence on a curve to the left with a radius of 305.60 feet along the west side of the Kalawahine Slope lots, the direct azimuth and distance being 6°21'30" 173.85 feet;

"9. Three hundred and forty-nine degrees fifty minutes 47 feet along the west side of the Kalawahine Slope lots;

"10. Thence on a curve to the right with a radius of 520 feet along same and along Territorial land, the direct azimuth and distance being 17°31' 483.18 feet;

"11. Three hundred and fifteen degrees twelve minutes 75 feet along Territorial land;

"12. Forty-five degrees twelve minutes 611.02 feet along the northwest side of a 20-foot road reserve;

"13. Thirty-four degrees four minutes thirty seconds 336.96 feet along same to the point of beginning and containing an area of 31.61 acres.

"(IV) Portion of the Hawaiian Experiment Station under the control of the United States Department of Agriculture, situate on the northeast side of Auwalolimu Street.

#### KEWALO-UKA, HONOLULU, OAHU

"Being a portion of the land of Kewalo-uka conveyed by the Territory of Hawaii to the United States of America by proclamations of the Acting Governor of Hawaii, Henry E. Cooper, dated June 10, 1901, and August 16, 1901, and a portion of the United States Navy hospital reservation described in Presidential Executive Order No. 1181, dated March 25, 1910.

"Beginning at the west corner of this parcel of land, on the Auwalolimu-Kewalo-uka boundary and on the northeast side of Auwalolimu Street, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being 1,230.58 feet north and 2,675.06 feet east as shown on Government Survey Registered Map No. 2985 and running by azimuths measured clockwise from true south:

"1. Two hundred and thirty-one degrees twelve minutes 1,248.26 feet along the land of Auwalolimu;

"2. Three hundred and twenty-one degrees twelve minutes 860 feet along Hawaiian Home Land as described in Presidential Executive Order No. 5561;

"3. Thence down along the middle of stream in all its turns and windings along the land of Kalawahine to the north corner of Roosevelt High School lot, the direct azimuth and distance being 33°48'40" 1,112.20 feet;

"Thence still down along the middle of stream for the next seven courses along the Roosevelt High School premises, the direct azimuths and distances between points in middle of said stream being:

"4. Twenty-three degrees forty minutes 28.90 feet;

"5. Eight degrees no minutes 115 feet;

"6. Three hundred and thirty-seven degrees fifty minutes 48 feet;

"7. Two degrees thirty minutes 60 feet;

"8. Forty-nine degrees forty minutes 52 feet;

"9. Forty-six degrees six minutes 90.70 feet;

"10. Ninety-two degrees forty-three minutes 95.60 feet; thence

"11. Eighty-three degrees thirty-eight minutes 71.63 feet along Territorial land to the northeast side of Auwalolimu Street;

"12. Thence on a curve to the left with a radius of 1,176.28 feet along the northeast side of Auwalolimu Street along land described in Presidential Executive Order No. 1181, dated March 25, 1910, the direct azimuth and distance being 172°29'35" 164.39 feet;

"13. Thence continuing on a curve to the left with a radius of 1,176.28 feet along the northeast side of Auwalolimu Street, the direct azimuth and distance being 160°50'48" 312.75 feet;

"14. Two hundred and twenty-four degrees fifty-three minutes, 670.65 feet along the Quarry Reservation (Territory of Hawaii, owner);

"15. One hundred and ten degrees six minutes 239.20 feet along same;

"16. Ninety-two degrees five minutes 202.20 feet along same;

"17. Fifty-three degrees twenty minutes 340.34 feet along same;

"18. One hundred and forty-two degrees thirty minutes 424.68 feet along the northeast side of Auwalolimu Street to the point of beginning, and containing an area of 27.90 acres; excepting and reserving therefrom that certain area included in Tantalus Drive, crossing this land.

"(V) Portion of Kewalo-uka Quarry Reservation. Situate on the northeast side of Auwalolimu Street.

#### "KEWALO-UKA, HONOLULU, OAHU

"Being land reserved by the Territory of Hawaii within the Hawaii Experiment Station under the control of the United States

Department of Agriculture, as described in proclamations of the Acting Governor of Hawaii, Henry E. Cooper, dated June 10, 1901.

"Beginning at the northwest corner of this parcel of land and on the northeast side of Auwalolimu Street, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being 893.66 feet north and 2,933.59 feet east as shown on Government Survey Registered Map No. 2985 and running by azimuths measured clockwise from true south:

"1. Two hundred and thirty-three degrees twenty minutes 340.34 feet along the Hawaii Experiment Station under the control of the United States Department of Agriculture;

"2. Two hundred and seventy-two degrees five minutes 202.20 feet along same;

"3. Two hundred and ninety degrees six minutes 239.20 feet along same;

"4. Forty-four degrees fifty-three minutes 670.65 feet along same to the northeast side of Auwalolimu Street;

"5. Thence on a curve to the left with a radius of 1,176.28 feet along the northeast side of Auwalolimu Street, the direct azimuth and distance being 147°51'13" 219.50 feet;

"6. One hundred and forty-two degrees thirty minutes 134.55 feet along the northeast side of Auwalolimu Street;

"7. Two hundred and thirty-two degrees thirty minutes 20 feet along same;

"8. One hundred and forty-two degrees thirty minutes 71.57 feet along same to the point of beginning and containing an area of 4.646 acres.

"Sec. 204 (2). Any available land, including land selected by the Commission out of a larger area, as provided by this act, as may not be immediately needed for the purposes of this act, may be returned to the Commissioner of Public Lands and may be leased by him as provided in subdivision (d) of section 73 of the Organic Act; any lease of Hawaiian homelands hereafter entered into shall contain a withdrawal clause, and the lands so leased shall be withdrawn by the Commissioner of Public Lands, for the purposes of this act, upon the Commission giving at its option, not less than 1 nor more than 5 years' notice of such withdrawal: *Provided*, That the minimum withdrawal-notice period shall be specifically stated in such lease.

"Sec. 207 (1). (a) The Commission is authorized to lease to native Hawaiians the right to the use and occupancy of a tract of Hawaiian homelands within the following acreage limits per each lessee: (1) Not less than 1 nor more than 40 acres of agricultural lands; or (2) not less than 100 nor more than 500 acres of first-class pastoral lands; or (3) not less than 250 nor more than 1,000 acres of second-class pastoral lands: *Provided, however*, That lots of not more than 1 acre of any class of land may be leased as residence lots. The Commission is also authorized to grant licenses for terms of not to exceed 21 years in each case, to public-utility companies or corporations as easements for railroads, telephone lines, electric power and light lines, gas mains, and the like.

"Sec. 208 (1). The original lessee shall be a native Hawaiian, not less than 21 years of age. In case two lessees either original or in succession marry, they shall choose the lease to be retained, and the remaining lease shall be transferred or canceled in accordance with the provisions of succeeding sections.

"Sec. 208 (5). The lessee shall not in any manner transfer to, or mortgage, pledge, or otherwise hold for the benefit of, any other person or group of persons or organizations of any kind, except a native Hawaiian or Hawaiians, and then only upon the approval of the Commission, or agree so to transfer, mortgage, pledge, or otherwise hold, his interest in the tract. Such interest shall not, except in pursuance of such a transfer, mortgage, or pledge to or holding for or agreement with a native Hawaiian or Hawaiians approved of by the Commission, or for any indebtedness due the Commission or for taxes, or for any other indebtedness the payment of which has been assured by the Commission, be subject to attachment, levy, or sale upon court process. The lessee shall not sublet his interest in the tract or improvements thereon.

"Sec. 208 (6). The lessee shall pay all taxes assessed upon the tract and improvements thereon. The Commission may in its discretion pay such taxes and have a lien therefor as provided by section 216 of this act.

"Sec. 208 (7). The lessee shall perform such other conditions, not in conflict with any provision of this title, as the Commission may stipulate in the lease: *Provided, however*, That an original lessee shall be exempt from all taxes for the first 5 years from date of lease.

"Sec. 209 (1). Upon the death of the lessee his interest in the tract and the improvements thereon, including growing crops, either on the tract or in any collective contract or program, shall vest and be determined in the following manner: A lessee shall furnish the Commission, in writing, the name or names of such person or persons being a qualified native Hawaiian or Hawaiians, within the limits prescribed in the following sequence of succession, to whom he wishes his interest in the lease to be transferred after his death, this designation to be subject to the approval of the Commission: (1) In the widow or widower; (2) if there is no widow or widower, then in the children; (3) if there are no children, then in the widows or widowers of the children; (4) if there are no such widows or widowers, then in the grandchildren; (5) if there are no grandchildren, then in the brothers and sisters; (6) if there are no brothers or sisters, then in the widows or widowers of the brothers and sisters; (7) if there are no such widows or widowers of the brothers or sisters, then in the nephews and nieces.



"In the absence of such designation, the Commission shall choose a qualified native Hawaiian or Hawaiians in accordance with the foregoing sequence, either individually or collectively, except that such successor or successors need not be 21 years of age.

"Upon the death of a lessee, or the cancellation of a lease by the Commission, or the surrender of a lease by the lessee, the Commission shall appraise the value of all such improvements and said growing crops and shall pay to the legal representative of the deceased lessee, or to the previous lessee, as the case may be, the value thereof, less any indebtedness due the Commission, or for taxes, or for any other indebtedness the payment of which has been assured by the Commission, from the previous lessee. Such appraisal shall be made by three appraisers, one of which shall be named by the Commission, one by the previous lessee or the legal representative of his estate, and the third shall be selected by the two appraisers hereinbefore mentioned.

"Sec. 209 (2). After the cancellation of a lease by the Commission in accordance with the provisions of sections 210 and 216 of this title, or the surrender of a lease by a lessee, the Commission is authorized to transfer the lease or to issue a new lease to any qualified Hawaiian, regardless of whether or not he is related in any way by blood or marriage to the previous lessee.

"Sec. 209 (3). After the death of a lessee, a successor or successors as defined in section 208 of this title shall not during a period of not less than 6 months nor more than 2 years, the exact length of such period to be fixed by the Commission, be deemed to have violated any of the conditions enumerated in section 208 of this title, even though he is not a native Hawaiian and does not during this period, on his own behalf, occupy or use or cultivate the tract as a home or farm in accordance with the provisions of this title and the stipulations and provisions contained in the lease.

"Sec. 209 (4). Should any successor or successors to a tract be a minor or minors, the Commission may appoint a guardian therefor, subject to the approval of the court of proper jurisdiction. Such guardian shall be authorized to represent the successor or successors in all matters pertaining to the leasehold: *Provided*, That said guardian shall, in so representing such successor or successors, comply with the provisions of this title and the stipulations and provisions contained in the lease, except that said guardian may not be a native Hawaiian as defined in section 201 of this title.

"Sec. 215 (1). Each contract of loan with the lessee or any successor or successors to his interest in the tract shall be held subject to the following conditions, whether or not stipulated in the contract of loan: The amount of loans at any one time to any lessee of a tract of agricultural or pastoral land shall not exceed \$3,000, and to any lessee of a residence lot shall not exceed \$1,000: *Provided*, That where, upon the death of a lessee or the cancellation of a lease by the Commission or the surrender of a lease by the lessee, the Commission shall make the appraisal and payment provided by section 209 (1), the amount of such payment shall be considered as part or all, as the case may be, of any such loan without limitation as to the maximum amounts herein specified in this section.

"Sec. 215 (2). The loans shall be repaid upon an amortization plan by means of a fixed number of annual installments sufficient to cover (a) interest on the unpaid principal at the rate of 3 percent per annum, and (b) such amount of the principal as will extinguish the debt within an agreed period not exceeding 30 years. The moneys received by the Commission from any installment paid upon such loan shall be covered into the fund. The payment of any installment due shall, with the concurrence therein of at least three of the five members of the Commission, be postponed in whole or in part by the Commission for such reasons as it deems good and sufficient and until such later date as it deems advisable. Such postponed payments shall continue to bear interest at the rate of 3 percent per annum on the unpaid principal and interest.

"Sec. 215 (3). In case of the borrower's death the Commission shall permit the successor or successors to the tract to assume the contract of loan subject to the provisions of paragraph (1) of this section. In case of the cancellation of a lease by the Commission or the surrender of a lease by a lessee, the Commission may, at its option, declare all annual installments upon the loan immediately due and payable or permit the successor or successors to the tract to assume the contract of loan subject to the provisions of paragraph (1) of this section.

"Sec. 216. The Commission may require the borrower to insure, in each amount as the Commission may by regulation prescribe, all livestock and dwellings and other permanent improvements upon his tract, purchased or constructed out of any moneys loaned from the fund; or in lieu thereof the Commission may directly take out such insurance and add the cost thereof to the amount of annual installments payable under the amortization plan. Whenever the Commission has reason to believe that the borrower has violated any condition enumerated in paragraphs (2), (4), (5), or (6) of section 215 of this title, the Commission shall give due notice and afford opportunity for a hearing to the borrower or the successor or successors to his interest in the tract as the case demands. If upon such hearing the Commission finds that the borrower has violated the condition the Commission may declare all annual installments immediately due and payable, notwithstanding any provision in the contract of loan to the contrary. The Commission shall have a first lien upon the borrower's

or lessee's interest in his tract, growing crops, either on the tract or in any collective contract or program, dwellings, or other permanent improvements thereon, and his livestock, to the amount of all annual installments due and unpaid and of all taxes upon such tract and improvements paid by the Commission, and of all indebtedness of the lessee, the payment of which has been assured by the Commission. Such lien shall have priority over any other obligation for which the tract, said growing crops, dwellings, other improvements, or livestock may be security.

"The Commission may, at such times as it deems advisable, enforce any such lien by declaring the borrower's interest in his tract, or his successor's interest therein, as the case may be, together with the said growing crops, dwellings, and other permanent improvements thereon, and the livestock, to be forfeited, the lease in respect to such tract canceled, and shall thereupon order the tract to be vacated and the livestock surrendered within a reasonable time. The right to the use and occupancy of the Hawaiian home lands contained in such tract shall thereupon revert in the Commission, and the Commission may take possession of the tract and the improvements and growing crops thereon: *Provided*, That the Commission shall pay to the borrower any difference which may be due him after the appraisal provided for in paragraph (1) of section 209 of this title has been made.

"Sec. 220. The Commission is hereby authorized directly to undertake and carry on general water and other development projects in respect to Hawaiian home lands, and to undertake other activities having to do with the economic and social welfare of the homesteaders. The legislature of the Territory is authorized to appropriate out of the treasury of the Territory such sums as it deems necessary to provide the Commission with funds sufficient to execute such projects, to carry on its administration and maintenance activities, and to accumulate a revolving loan fund of \$1,000,000. The legislature is further authorized to issue bonds to the extent required to yield the amount of any sum so appropriated."

Mr. GREEN. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. DOWELL].

The SPEAKER. The Chair will state that we are now under the 5-minute rule. The gentleman can be recognized in his own right.

Mr. DOWELL. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the law that was enacted in 1920 creating the Hawaiian Homes Commission was very unique. I know of no other law passed by the Congress of this general character. Under this law certain public lands in the Territory of Hawaii were turned over to what is called the Hawaiian Homes Commission, the Commission consisting of five persons to administer this law. Under the provisions of the law, this land was given to the Commission for the purpose of turning the same over to the Hawaiian people in the Territory. The purpose of the law was to prevent the further taking up of the public lands by large companies and large landholders and eventually to drive the Hawaiians from the land.

This law was to protect the Hawaiians in their rights to the lands that were then still owned by the Government. Under this same plan, over 200,000 acres of land have been turned over to the Hawaiian Commission, and the Commission has been very successfully carrying on the work of turning these lands over to the Hawaiian people. Many of the Hawaiian people have been placed on these lands and have been able to take care of their lands and to provide a living for their families who otherwise might have been now on relief. I am very glad to know that a very great number of these persons have been successful in their work. The bill we are now considering is to add just a few acres of land to the land that was turned over to these people by the Hawaiian Homes Commission since the law was first enacted, that they may better enjoy their homesteads secured under the provisions of this law, but is to be used for the benefit of homesteaders who occupy adjoining lands, that it may be used by them as an outlet to the sea. As I understand it, the land which is now being turned over to the Commission by this bill is not to be used as homesteads, but is to be used for the benefit of homesteaders.

I know of no experiment that has been more successful in its operation. This law is administered by the Hawaiian people, as the law requires that at least three members of this commission of five must be of Hawaiian blood.

Under this plan title to the land is not given to the homesteader who gets it. Instead he is given a lease and is not permitted to transfer it to any person except of Hawaiian



blood. This keeps the land strictly in the hands of the Hawaiian people, which, to my mind, has been the salvation of the people who were in a position where they needed help from the Government of the United States. They have been able to make their own living and to support their families from the land that the Government has turned over to the Hawaiian Homes Commission.

This plan has been very successful. The Hawaiian Homes Commission received no compensation for their services, except the compensation they receive in the satisfaction of aiding the homesteader in providing a home for himself and family.

I had something to do with the preparation and passing of the original law creating the Hawaiian Homes Commission, and I am more than pleased with its success.

May I say a word about the Delegate from Hawaii [Mr. KING]? This legislation has been brought before the House because of his efforts for its consideration. The original law was presented by the late Prince Kalanianaʻola, who was a Member of this House for many years. By his untiring efforts, the Delegate from Hawaii [Mr. KING], in the presenting of this bill, has greatly improved it. Mr. KING is always busy in the interests of the Territory and the Hawaiian people. Every Member of the House admires and respects him.

This bill should pass, as I am sure it will aid the Hawaiian Homes Commission in making the Hawaiian people happier. I compliment the Delegate [Mr. KING] on his splendid work.

[Here the gavel fell.]

Mr. ENGLEBRIGHT. Mr. Speaker, I move to strike out the last two words.

Mr. Speaker, I desire to compliment the Delegate from Hawaii on the record time in which various important bills have been enacted into law and on the fine manner in which he cooperates with the Committee on Territories and the confidence in which the committee holds him. I compliment him also on the very friendly relationship that he is building up for the people of Hawaii.

This experiment has been outstanding in character, as the gentleman from Iowa has told us, and I am sure that the House is very happy to have this expeditious handling of legislation of some great importance to this Territory.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider and a House bill (H. R. 7374) were laid on the table.

#### REPEAL OF CERTAIN TAXES ON SHIPPING IN ALASKA

Mr. GREEN. Mr. Speaker, by direction of the Committee on the Territories, I call up the bill (S. 2254) to amend section 460, chapter 44, title II, of the act entitled "An act to define and punish crimes in the District of Alaska and to provide a code of criminal procedure for said District", approved March 3, 1899, as amended, and ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object to ask a question, will the Delegate from Alaska advise us whether this bill affects in any way American ships; for instance, would a ship that sailed from San Francisco to Alaska pay this tax?

Mr. DIMOND. Mr. Speaker, will the gentleman yield?

Mr. GREEN. I yield to the Delegate from Alaska.

Mr. DIMOND. Mr. Speaker, the bill seeks to repeal license tax provisions applicable to Alaska. These tax provisions, in the opinion of the officials of the Department of Justice, apply only to interport business carried on in Alaska. No additional burdens would be imposed upon any shipping by the passage of this bill. On the contrary, the burdens that may be imposed upon some shipping under the provisions sought to be repealed will be removed.

Mr. MARTIN of Massachusetts. Does it affect in any way a ship owned in continental America?

Mr. DIMOND. It is only to the advantage of ships owned in the United States as well as ships owned in Alaska.

Mr. MARTIN of Massachusetts. It does relieve our shipping to a certain extent, then?

Mr. DIMOND. It may relieve, but cannot impose a further burden. The reason I make that answer is because of the uncertainty surrounding the construction of these provisions by the courts, in view of the debate in Congress when the tax provisions were under consideration. To obviate the uncertainty and to clear the thing up we want to repeal these provisions, and to leave the matter of taxation on shipping to the Alaska Territorial Legislature.

Mr. MARTIN of Massachusetts. In any event, it does not add a new burden.

Mr. DIMOND. None at all.

Mr. Speaker, the bill under consideration is a Senate bill. A similar bill was introduced in the House by the gentleman from Washington [Mr. MAGNUSON]. At the time of its introduction I declined to sponsor it because I was then uncertain as to its merit. Since then I have been convinced that the bill ought to pass.

The provisions of the Federal license-tax law applicable to Alaska sought to be repealed by this bill provide for a tax of \$1 per ton, customhouse measurement, on freight and transportation lines and ships and shipping doing business or registered in Alaska, "or not paying license or tax elsewhere." May I repeat the phrase, "or not paying license or tax elsewhere", because that phrase is of the utmost importance.

While the circuit court of appeals of the ninth circuit in the case of Northern Commercial Co. against United States, reported in 217 Federal, page 33, has held that the word "elsewhere", as used in the law, means elsewhere in Alaska, or in some other judicial division in the Territory of Alaska, that decision cannot be sustained. From a consideration of the debate in Congress upon the passage of the License Tax Act, the conclusion is inescapable that the word "elsewhere" was intended to mean, and actually means, elsewhere in the United States than in the Territory of Alaska. It necessarily follows that if the freight and passenger transportation lines and the ships and shipping sought to be taxed by the law under consideration be taxed elsewhere than in Alaska they are entirely exempt from the Alaska tax. Most of the shipping lines, and particularly the large ones, which do business in Alaska and between the States and Alaska actually pay some taxes elsewhere and therefore, despite the decision of the circuit court of appeals in the Northern Commercial Co. case, they are and ultimately will be held exempt from the application of the license-tax provisions on freight and passenger transportation lines and ships and shipping now under discussion.

In order to inform myself on the exact question presented in the case of Northern Commercial Co. against United States, which I have just now referred to, I secured from the clerk of the circuit court of appeals at San Francisco, Calif., a copy of the printed record and of the briefs in the case. To my astonishment, I found that the debate in Congress relative to the provisions of the License Tax Act in question concerning Alaska shipping and transportation was not brought to the attention of the Court, and, so far as the record shows and the briefs show, neither the Court nor counsel in that case had any knowledge whatever of the meaning placed upon the tax provisions now under consideration by Congress. It is not necessary to remind the House that under the most elementary principles of statutory construction, the interpretation placed upon the statute by the lawmakers should govern, unless the terms of the statute are so explicit in themselves as to remove all doubt on the question.

Moreover, the officials of the Department of Justice have reached the conclusion, and it is probably the correct conclusion, that the license tax was intended to apply only to interport business carried on in Alaska and not to commerce between the United States and Alaska. The interport busi-



ness carried on in Alaska is relatively negligible and to impose the tax on that business alone works a serious discrimination against local lines which do no interstate business between Alaska and the United States. The present provisions of the law also discriminate against local operators in that their ships are likely to be registered in Alaska and thus be subject to the tax while the ships of the big lines are registered outside of Alaska and, since they pay license or tax "elsewhere", are not subject to the provisions of the tax.

A third reason presents itself for the passage of the bill, and that lies in the fact that Alaska shipping is in a measure in competition with the Canadian shipping serving Alaska. The Canadian ships are forbidden to carry on any interport business in Alaska, and, therefore, under the construction placed upon the law by the Department of Justice officials, are in any case exempt from the tax. The American ships pay higher wages and are generally more costly to build and operate. To impose a tax on American shipping when the competitive Canadian shipping is exempt from the tax is scarcely fair to our own people.

Since the provisions of the tax act mentioned apply only to interport shipping in Alaska and not to interstate shipping between Alaska and the United States, and since, almost by common consent, these provisions of the law have been all but inoperative in Alaska for the period of approximately 37 years, and since, if operative, they are bound to operate with the greatest rigor and with a marked degree of discrimination against small companies carrying on transportation only within the Territory of Alaska; and since, if not repealed, the big companies doing an interstate as well as Alaska interport business will limit their Alaska interport business to a few ships only and refuse to transport passengers or freight from one port to another in Alaska on their ships where the revenues are not very great, in order to avoid payment of the tax, it is my considered judgment that the bill should pass. But it should pass on one condition only. At my suggestion the committee adopted an amendment which is to be incorporated in the bill as section 2, which reads as follows:

SEC. 2. Nothing in this act shall abrogate, limit, or curtail the powers granted the Territorial Legislature of Alaska to impose taxes or licenses, nor limit or curtail any powers granted to the Territorial Legislature of Alaska by the act of Congress approved August 24, 1912, entitled "An act to create a legislative assembly in the Territory of Alaska, to confer legislative powers thereon, and for other purposes", or by any other act of Congress.

It will be observed, Mr. Speaker, that this amendment adequately preserves the right of the Territorial Legislature to impose any tax which it may see fit on Alaska shipping; that is to say, on the interport business carried on by boats and ships in Alaska. Now, it must be remembered that under the construction placed upon it by the Department of Justice, that is all the present law does—imposes a tax upon interport business—unless the vessels are registered in Alaska. As I stated a moment ago, most, if not all, of the vessels owned by the larger companies are not registered in Alaska and as they pay license or tax elsewhere they are not subject to the Alaska tax. Since Congress has not by the tax provisions under consideration, or by any other law, sought to impose a tax upon the interstate business carried on between ports in the United States and ports in Alaska, to retain the present tax provisions on the books would simply result in penalizing Alaskans and Alaska business without accomplishing any good for anyone.

First, last, and all the time, Mr. Speaker, I am a home-ruler. I believe in the largest measure of home rule for Alaska. The amendment which I have suggested will insure to the territorial legislature full taxing power with respect to freight and passenger transportation lines and ships and shipping within the Territory of Alaska. It may be remarked in passing that the language of this amendment, which is to be section 2 of the bill, is substantially the same language embodied in section 8 of the act of June 6, 1924, relative to the fisheries, and that provision has been construed by the United States Circuit Court of Appeals for the

Ninth Circuit in the case of *Anderson v. Smith* (71 Fed. (2d) 493) to adequately preserve the taxing power of the Alaska Legislature.

In my opinion, Mr. Speaker, the shipping lines serving Alaska ought to register all of their ships in Alaska and thus be clearly subject to the tax imposed by the provisions of law in question. As the income of these companies is derived from the business which they do in transporting freight and passengers between the United States and Alaska, and within the Territory of Alaska, it is only reasonable that they should pay some tax to the Territory, for the residents of the Territory provide a large portion of the income received by the transportation companies. Moreover, the shipping companies serving Alaska undoubtedly take into consideration, in fixing rates, all taxes imposed upon them by any taxing authority. They ought to register their vessels in Alaska and pay this tax without demur. But they refuse to do it. Like many other corporations and individuals, they register their ships where the taxes are comparatively light and decline to register them in Alaska. It may be that their hesitation to register their ships in Alaska is due to some apprehension as to possible taxation by municipalities in the Territory, and it is easy to understand their concern on that ground. In view of the fact that the ship owners cannot be compelled to register their vessels in Alaska under present law, and in view of the fact that the operation of the present law under the construction placed upon it by the Department of Justice will result only in penalizing Alaskans and in placing additional burdens on transportation in Alaska, there is only one thing to do and that is to pass this bill and repeal the tax, for I am not credulous enough to believe that Congress will ever pass a law either requiring unconditionally the transportation companies serving Alaska to register their ships in Alaska, or to amend the provisions of the present license tax act so as to require payment of the tax on interstate as well as intrastate commerce with respect to Alaska no matter where the ships are registered.

It has long been my view that all of the provisions of the Federal license tax laws applicable to Alaska should be subject to alteration, amendment, or repeal by the Alaska Legislature, and in the Seventy-fourth Congress and again in the Seventy-fifth Congress I have introduced and urged for passage a bill seeking to grant to the Alaska Territorial Legislature the full right to alter, amend, or repeal all or any part of the Federal License Tax Act applicable to Alaska. The bill now under consideration is in harmony therewith.

Mr. Speaker, so far as I am aware, there is no opposition to this bill in Alaska. I have received approximately 40 letters and telegrams from chambers of commerce, associations, and individuals in all parts of Alaska, urging me to support the bill and not a single letter or telegram or other communication opposed to the passage of the bill. In Alaska it is generally considered, and I think rightly, that the failure of Congress to pass the bill is bound to curtail transportation facilities within Alaska to such an extent that many people will not only be discommoded but will suffer substantial financial loss. One of the crying needs in Alaska at this time is additional transportation facilities on land and water and in the air, and therefore it is part of my duty to support every measure which will not only help us to keep all of the transportation which we now have but which will extend transportation aids and facilities on land and sea and also by air.

THE SPEAKER. The gentleman from Florida asks unanimous consent that the bill may be considered in the House as in the Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 460, chapter 44, title II, of the act entitled "An act to define and punish crimes in the District of Alaska and to provide a code of criminal procedure for said District", approved March 3, 1899, as amended, is amended by striking out the following paragraphs:

"Freight and passenger transportation lines, propelled by mechanical power registered in the Territory of Alaska, or not paying



license or tax elsewhere, and river and lake steamers, as well as transportation lines doing business wholly within the Territory of Alaska, \$1 per ton per annum on net tonnage, customhouse measurement, of each vessel.

"Ships and shipping: Ocean and coastwise vessels doing local business for hire plying in Alaskan waters, registered in Alaska or not paying license or tax elsewhere, \$1 per ton per annum on net tonnage, customhouse measurement, of each vessel."

Sec. 2. Section 13 of the Revised Statutes shall not apply with respect to any penalty, forfeiture, or liability incurred under the provision stricken out by this act.

With the following committee amendment:

Page 2, strike out lines 11, 12, and 13, and in lieu thereof insert the following:

"Sec. 2. Nothing in this act shall abrogate, limit, or curtail the powers granted the Territorial Legislature of Alaska to impose taxes or licenses, nor limit or curtail any powers granted to the Territorial Legislature of Alaska by the act of Congress approved August 24, 1912, entitled 'An act to create a legislative assembly in the Territory of Alaska, to confer legislative powers thereon, and for other purposes', or by any other act of Congress."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to revise and extend the remarks which I have just made concerning this bill.

The SPEAKER. Is there objection to the request of the Delegate from Alaska?

There was no objection.

Mr. GREEN. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GREEN. Mr. Speaker, the Delegate from Hawaii and the Delegate from Alaska are giving unusually good cooperation in our committee. I think the action of the House in sustaining the committee's reports on these bills is the best compliment that could be paid to these gentlemen.

CONTESTED-ELECTION CASE—RUTHERFORD V. TAYLOR (H. DOC. NO. 282)

The SPEAKER laid before the House the following communication, which was read and referred to the Committee on Elections No. 1 and ordered printed:

JUNE 30, 1937.

HON. WILLIAM B. BANKHEAD,  
Speaker of the House of Representatives,  
Washington, D. C.

SIR: On December 4, 1936, Calvin Rutherford served notice on J. Will Taylor, returned Member from the Second Congressional District of the State of Tennessee, of his purpose to contest the election of said Taylor, and filed a copy of said notice in this office. Now comes the sitting Member, J. Will Taylor, and in a communication to me dated June 15, 1937, makes the following statements:

That on December 21, 1936, he replied to the notice of contest served upon him by said Calvin Rutherford;

That on January 27, 1937, contestant began taking testimony on his behalf, and thereafter on January 29 and on April 27, 1937, additional testimony was taken on his behalf;

That no further testimony was adduced, notwithstanding his (contestee's) attorney frequently called upon contestant to complete his case;

That contestant failed to produce evidence in support of his contest and has manifestly abandoned same, 180 days having elapsed from the date of contestee's reply, whereas the law prescribes 90 days in which to take testimony in a contested-election case; and

That he (contestee) incurred legal expenses in connection with the case, for which he desires reimbursement in accordance with law.

For the information of the House the Clerk deems it proper to state that no testimony on behalf of either party has been filed in his office as required and in the manner prescribed by law, and it would therefore appear that the contest had abated.

The letter of Mr. Taylor, together with the letter of his attorney and a certified copy of the testimony taken in behalf of contestant are submitted herewith for the consideration of the appropriate committee.

Respectfully,

SOUTH TRIMBLE,  
Clerk of the House of Representatives.

Mr. GREEN. Mr. Speaker, that is all the bills we will call up for consideration today. We have another bill, but that will be presented at a later time.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that further business in order today, Calendar Wednesday, be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. RANKIN. Mr. Speaker, reserving the right to object, the Committee on World War Veterans' Legislation has at least one bill it has been trying to get considered by this House for 60 days. While that committee is not next on the calendar, I should like to have the call of the committees continued, as this seems to be the only way we will ever get a vote on the bill. I dislike very much to object to the request of the gentleman from Texas, but I gave way today in order that the House might take up the conference reports, which took more time than anticipated. It is now rather late in the afternoon, but, Mr. Speaker, I am going to object to dispensing with Calendar Wednesday business at this time and request that the call of the calendar continue.

PERMISSION TO ADDRESS THE HOUSE

Mr. KELLER. Mr. Speaker, I ask unanimous consent to proceed out of order for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KELLER. Mr. Speaker, I have been asked to communicate the information to the House that the little tent on the way across to the New House Office Building, right-hand side, contains all information about the Boy Scouts that are in town. If any of you want to know something about that you may get the information over there. You are invited to call personally or else on the phone, Capitol 1396.

[Here the gavel fell.]

Mr. MAVERICK. Mr. Speaker, I have already received permission to address the House for 15 minutes on Friday next. I ask unanimous consent that that time be extended to 30 minutes.

The SPEAKER. The gentleman from Texas asks unanimous consent that the time already accorded him to address the House on Friday of this week under the conditions named in the request may be extended 15 additional minutes. Is there objection?

Mr. PARSONS. Mr. Speaker, reserving the right to object, may I ask the Chair what the program will be on Friday, other than the time various gentlemen will take to address the House?

The SPEAKER. The Chair may say to the gentleman from Illinois [Mr. PARSONS] that he is not able to answer the gentleman's question as a parliamentary inquiry, but will refer his query to the majority leader.

Mr. RAYBURN. Mr. Speaker, on Thursday a rivers and harbors bill will be considered, and if we get through with the consideration of that bill, we will take up a bill which involves the regulation of natural gas. If we finish the consideration of both of those bills on Thursday, there will be no program on Friday, except speeches. If we do not reach consideration of the natural-gas bill until Friday, that will be the only business. The bill is noncontroversial and will take but a short time.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HILL of Washington. Mr. Speaker, in view of the lateness of the hour, I relinquish the time I had to address the House this afternoon and ask unanimous consent to address the House next Friday, after the address by the gentleman from Texas [Mr. MAVERICK] for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

EXTENSION OF REMARKS

Mr. JOHNSON of Minnesota. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address delivered by myself.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Friday next after the special orders heretofore made I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### PERSONAL EXPLANATION

Mr. LONG. Mr. Speaker, on June 29 on roll calls 98 and 99 I am shown as not having voted. I was unavoidably detained in my office. Had I been present, I would have voted "nay" on roll call 98 and "yea" on roll call 99.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mrs. JENCKES of Indiana, for 1 week, on account of official business.

To Mr. GRISWOLD (at the request of Mr. GREENWOOD), indefinitely, on account of illness.

To Mr. MERRITT, for 2 days, on account of important business.

#### CALENDAR WEDNESDAY

The SPEAKER. The Clerk will continue the call of the committees.

Mr. RAYBURN (when the Committee on Education was called). Mr. Speaker, I ask unanimous consent that further business in order for today, Calendar Wednesday, be dispensed with.

Mr. Speaker, may I say that this calendar has been called more in the last 6 months than in any 4 years of my experience in the House. I have stated to each and every committee chairman that I would seek to protect the various committees and not have them called at 4:30 in the afternoon when by points of no quorum or otherwise they might lose their day.

The Committee on Labor is the next committee to be called. The chairman of that committee is present and has a bill for the consideration of the House. I am just afraid that committee may lose its day by being called at this late hour and that is why I am making this unanimous-consent request.

Mr. RANKIN. Mr. Speaker, reserving the right to object, I understand the Committee on Labor has some bills.

Mrs. NORTON. The committee has one bill to call up.

Mr. RANKIN. How long will its consideration take?

Mrs. NORTON. That depends entirely upon the House.

Mr. RANKIN. Probably how long?

Mrs. NORTON. It should not take more than 5 minutes.

Mr. RANKIN. Mr. Speaker, there probably will be little or no opposition to the measure, and I see no reason why the Committee on Labor should not take it up.

Mr. RAYBURN. The trouble is that some of the minority members of the Committee on Labor, who had no idea we would reach the Committee on Labor today, are not here.

Mrs. NORTON. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. Yes.

Mrs. NORTON. I may say to the gentleman I have sent a messenger for the gentleman from California [Mr. WELCH], who is the ranking member of the Committee on Labor, in order that he may be on the floor, but I have not been able to reach him.

Mr. RANKIN. The difference between the Committee on Labor and the Committee on World War Veterans' Legislation is that the Committee on Labor is always able to get a rule from the Committee on Rules.

Mr. RAYBURN. Oh, no.

Mr. RANKIN. The Committee on World War Veterans' Legislation is not even able to get a hearing on its bill before the Committee on Rules, and it has been trying to do so

for 60 days. So far we have been unable to get any hearing at all. We are not deceived about this matter. We realize this is the only way for us to get this bill passed on by the House of Representatives. I hope the chairman of the Committee on Labor will call up her bill, for I am sure there will be no opposition to it, and let us proceed.

Mr. COX. Mr. Speaker, reserving the right to object, the gentleman from Mississippi knows something of my situation. Under the circumstances, and in view of the statement made by the majority leader, I do feel the gentleman ought to show me the consideration of not insisting upon his objection to the unanimous-consent request.

Mr. RANKIN. The gentleman is on the Committee on Rules.

Mr. COX. Yes; and I am in favor of granting the gentleman a rule for the consideration of his bill. I am for his bill, and I will do everything within my power to influence the committee to give the gentleman a hearing. I hope the hearing will be granted and that a rule will be reported for the consideration of the gentleman's measure.

Mr. RANKIN. Will the gentleman force a vote of the Committee on Rules on my resolution?

Mr. COX. I cannot force the Committee on Rules to do anything, but I will do my best for the gentleman to get a rule.

Mr. RANKIN. This bill involves the gold-star mothers whose insurance payments are expiring, the mothers who sent their sons to the war and never saw them again. They must be taken care of, and this bill is their only hope. This is the only chance we have to take care of them. As I have stated, I have had the bill on the calendar for 60 days, and have had a resolution before the Committee on Rules for 40 days or more, trying to get the bill to the floor of the House. I should like to accommodate the gentleman from Georgia and should like to hear him speak, and will stay here as long as necessary in order to hear the gentleman speak.

Mr. GREEN. I am one who has signed the gentleman's petition, and I am willing to stay here until midnight to help the gentleman pass his bill.

Mr. RANKIN. I am willing to stay here until midnight.

Mr. RAYBURN. Does the gentleman have any idea the bill will come up today? Certainly not.

Mr. GREEN. I thought the Committee on World War Veterans' Legislation had the next call.

Mr. RANKIN. It will come up if the chairman of the Labor Committee will get her bill out of the way.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. RANKIN. Mr. Speaker, I object.

#### APPRENTICES IN INDUSTRY

Mrs. NORTON. Mr. Speaker, by direction of the Committee on Labor I call up the bill (H. R. 7274) to enable the Department of Labor to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices and to cooperate with the States in the promotion of such standards, and ask for its immediate consideration.

Mr. THOMPSON of Illinois. Mr. Speaker, I make the point of order a quorum is not present.

Mr. RANKIN. We will pass this bill tonight unless the House adjourns on a roll call, if we have to stay here until midnight.

Mr. THOMPSON of Illinois. Mr. Speaker, I withdraw my point of order for the moment.

Mr. MARTIN of Massachusetts. I renew the point of order, Mr. Speaker.

The SPEAKER. The gentleman from Massachusetts makes the point of order a quorum is not present.

Mr. MARTIN of Massachusetts. Mr. Speaker, I think the minority members of the Committee on Labor are not aware this bill is coming up. I think they should be here and have a chance to be heard if we are going on with it.

Mrs. NORTON. Mr. Speaker, will the gentleman withhold his point of order?



Mr. MARTIN of Massachusetts. Yes; I withhold my point of order for the moment, Mr. Speaker.

Mr. COX. May I appeal to the gentleman from Mississippi that he kindly not object to the unanimous-consent request of the gentleman from Texas?

Mr. RANKIN. If the gentleman will let the call of committees proceed, when it gets down to the Committee on World War Veterans' Legislation I am willing to let him dispense with further proceedings under the call of committees, but I am not going to withdraw my objection until the World War Veterans' Committee is called.

Mr. COX. The gentleman has that right, of course.

The SPEAKER. Does the gentleman from Massachusetts withhold his point of order?

Mr. MARTIN of Massachusetts. I must insist on my point of order, Mr. Speaker.

The SPEAKER. The gentleman declines to withhold his point of order. A constitutional question has been raised that a quorum is not present. The Chair will count.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw the point of order for a moment.

The SPEAKER. The gentleman from Massachusetts withdraws his point of order.

Mrs. NORTON. Mr. Speaker, by direction of the Committee on Labor I call up the bill (H. R. 7274) to enable the Department of Labor to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices and to cooperate with the States in the promotion of such standards, and ask for its immediate consideration.

The Clerk read the title of the bill.

Mrs. NORTON. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentlewoman from New Jersey asks unanimous consent that the bill may be considered in the House as in Committee of the Whole. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, before we give this permission I think we should know something about the bill. We are somewhat handicapped because we did not expect it to come up at this time.

Mrs. NORTON. Mr. Speaker, I may say to the gentleman from Massachusetts that the author of the bill, the gentleman from Connecticut [Mr. FITZGERALD], is here and will be pleased to explain the measure.

I may say further that the bill was reported out unanimously by the Committee on Labor before I became chairman of that committee. I have looked up the record and I have found that the vote of the committee was unanimous.

Mr. MARTIN of Massachusetts. I think the rest of the House should know something about the bill, and under my reservation of objection, in order that we may know what the bill is about, I yield to the gentleman from Connecticut.

Mr. FITZGERALD. Mr. Speaker, this bill sets up in the Department of Labor an apprentice training system for the youth of this country. We have debated here today for hours about taking 300,000 boys and putting them into the forests of America. This bill will provide a cloak of protection to put around boys and girls and encourage them to go back into the skilled trades, and in some localities today we have a crying need for trained and skilled workers.

Mr. MARTIN of Massachusetts. Just what does the bill do?

Mr. FITZGERALD. The bill sets up standards by Federal cooperation with the States and through the formation of voluntary committees in the States, throwing a cloak of protection around the boys and girls and setting up standards and protecting them and guaranteeing that when their time of service in a trade has expired, they will come out full-fledged mechanics. It also incorporates vocational education in the plants.

Mr. HOFFMANN. Mr. Speaker, will the gentleman yield for a question when he concludes his statement?

Mr. FITZGERALD. Yes. The bill was heard by a subcommittee of the Committee on Labor and representatives

of labor and capital appeared. I may say this is, perhaps, the only bill before the House today that both labor and capital are in favor of. The National Manufacturers Association wrote the committee and went on record in favor of the bill and Mr. John Frey represented the American Federation of Labor before the committee, testifying in favor of the bill.

If you really want to do something for the youth of the country, this is one of the best bills you can pass, because it will encourage them to learn a skilled trade as a means of livelihood.

In the past 25 years over one million and a quarter mechanics have come here from the European countries, and I am going to tell the Members of the House now that if a bill of this nature is not passed and a system of this kind not established, within 10 years you will lower your immigration bars in order to get mechanics from across the water. We have a need for mechanics in special lines today. Industry is crying for them and still we are passing laws here to put the youth of our country into the forests, instead of encouraging them to go back into the trades and become skilled mechanics.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. HOFFMAN. In the New York Times of yesterday and in the same paper the day before there was a long article each day by a special writer who had been investigating conditions in Michigan, and in the article the statement was made that the W. P. A. and the C. I. O. were interested and that the C. I. O. had contributed some \$6,000 in Michigan for the purpose of educating the youth there along certain lines. If the Department of Labor establishes this school, what connection, if any, will the C. I. O. workers have with the undertaking?

Mr. FITZGERALD. This bill does not propose to establish schools, but it proposes to protect the boys and girls in industry.

Mr. HOFFMAN. It proposes to educate them.

Mr. FITZGERALD. While they are getting practical knowledge, so that a boy, after serving an apprenticeship of 4 years, will not be exploited, but when he has served his apprenticeship he will be a first-class mechanic.

Mr. HOFFMAN. The question I want to ask the gentleman is this: What part has the C. I. O. in the training of these young men and women?

Mr. FITZGERALD. It has nothing to do with it, to my knowledge.

Mr. HOFFMAN. The W. P. A. has something to do with it, according to this article.

Mr. FITZGERALD. I do not know about that, but I do know that the bill is endorsed by both labor and capital.

Mr. HOFFMAN. Will not the C. I. O. furnish the teachers if the training is under the present Secretary of Labor?

Mr. FITZGERALD. The training is going to be done by the employers in the various industries.

Mr. HOFFMAN. But under the supervision of the Department of Labor?

Mr. FITZGERALD. The standards will be set up by the Department of Labor in cooperation with the States.

Mr. HOFFMAN. With the cooperation of Mme. Perkins?

Mr. FITZGERALD. The Department of Labor.

Mr. MARTIN of Massachusetts. Will the gentleman tell us whether the committee went into the cost of the administration of this bill?

Mr. FITZGERALD. Approximately \$56,000 has been the amount provided previously. This activity has been functioning under the National Youth Administration.

If the gentleman will recall, 2 months ago, when the Committee on Appropriations had that part of the bill under consideration, they would not pass it, because that committee claimed it was not removed legally from the National Youth Administration into the Department of Labor. Both the minority and the majority parties on the committee are in favor of making that small appropriation of \$56,900.

Mr. MARTIN of Massachusetts. And this is transferring it to the Department of Labor?

Mr. FITZGERALD. Yes.

Mr. MARTIN of Massachusetts. And then setting up a standard for the apprenticeship, for the different States?

Mr. FITZGERALD. Yes.

Mr. MARTIN of Massachusetts. It is all voluntary?

Mr. FITZGERALD. Yes.

Mr. MARTIN of Massachusetts. It is not compulsory?

Mr. FITZGERALD. No. In fact, 45 States have set up State committees already, and 112 voluntary committees are working, and these States already have passed these plans during the last year. There was no opposition before the committee.

Mr. DITTER. Mr. Speaker, I reserve the right to object. Will the gentleman from Connecticut please tell us what the power of the National Advisory Committee will be? Under section 2 the Secretary of Labor is authorized to appoint a National Advisory Committee, to serve without compensation. Will the gentleman tell us what the duties and powers of that committee will be?

Mr. FITZGERALD. They will set up a voluntary plan. It is national because some association wrote and asked that the name be changed to the National Association or the National Committee, to make it function with the States.

Mr. DITTER. Then to that extent the Secretary of Labor will be able to carry out and formulate a policy with respect to the several States.

Mr. FITZGERALD. Not unless the States agree to it.

Mr. DITTER. But the Secretary of Labor is authorized to appoint the members of the committee. There is no reservation, no limitation with respect to the authority of the Secretary of Labor.

Mr. FITZGERALD. The States adopt their own plan.

Mr. DITTER. I am speaking now of the National Advisory Committee. The gentleman said the National Advisory Committee's duties and powers would be to formulate policies. I say to that extent the influence of the Secretary of Labor will be expressed through the appointees of this committee.

Mr. FITZGERALD. The committees will be appointed through the State agencies.

Mr. DITTER. I am afraid that the gentleman and I are in disagreement. Under section 2 the Secretary of Labor has authority to appoint the committee. It does not say anything except to appoint this national committee. It delegates that authority directly to the Secretary of Labor.

Mr. FITZGERALD. That is, the national committee sets up with the State organization a voluntary plan. Everything in this is voluntary.

Mr. DITTER. And to that extent, then, the Secretary of Labor's influence will be felt in the administration of the proposed act.

Mr. FITZGERALD. I would not say so.

Mr. DITTER. How is it to be obviated?

Mr. FITZGERALD. Because it will be voluntary on the part of a State whether it accepts the act or not.

Mr. DITTER. What is the power of the committee?

Mr. FITZGERALD. Just making recommendations; that is all.

Mr. MARTIN of Massachusetts. Mr. Speaker, I am satisfied with the explanation of the gentleman from Connecticut and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey to consider the bill in the House as in Committee of the Whole?

Mr. HOFFMAN. Mr. Speaker, I reserve the right to object in order to ask the gentleman a question.

The SPEAKER. The gentleman from Michigan reserves the right to object.

Mr. HOFFMAN. Here is the article to which I referred, and it says about \$7,000 is set aside by the union each month for this educational program from its income of \$350,000 a month, and it ties in with the W. P. A. If this committee is established by the Department of Labor to teach these young men and women and qualify them to follow a trade, how does that hook up with this?

Mr. FITZGERALD. I do not see any connection at all with it, because all this bill does is this: After a boy is in a plant, working, he is indentured to learn a trade in the plant, working for the company. After he is indentured, these standards will be set up for his protection. He will get his practical experience right there. His vocational education he will get through the trade school.

Mr. HOFFMAN. But these schools are to be set up in these plants, and the C. I. O. is furnishing \$7,000 a month to assist in that. Does not that tie up directly with this?

Mr. FITZGERALD. No.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of Labor is hereby authorized and directed to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices, to extend the application of such standards by encouraging the inclusion thereof in contracts of apprenticeship, to bring together employers and labor for the formulation of programs of apprenticeship, to cooperate with State agencies engaged in the formulation and promotion of standards of apprenticeship, and to cooperate with the National Youth Administration and with the Office of Education of the Department of the Interior in accordance with section 6 of the act of February 23, 1917 (39 Stat. 932), as amended by Executive Order No. 6166, June 10, 1933, issued pursuant to an act of June 30, 1932 (47 Stat. 414), as amended.

SEC. 2. The Secretary of Labor may publish information relating to existing and proposed labor standards of apprenticeship, and may appoint national advisory committees to serve without compensation. Such committees shall include representatives of employers, representatives of labor, educators, and officers of other executive departments, with the consent of the head of any such department.

SEC. 3. On and after the effective date of this act the National Youth Administration shall be relieved of direct responsibility for the promotion of labor standards of apprenticeship as heretofore conducted through the Division of Apprentice Training and shall transfer all records and papers relating to such activities to the custody of the Department of Labor. The Secretary of Labor is authorized to appoint such employees as he may from time to time find necessary for the administration of this act, with regard to existing laws applicable to the appointment and compensation of employees of the United States: *Provided, however,* That he may appoint persons now employed in Division of Apprentice Training of the National Youth Administration upon certification by the Civil Service Commission of their qualifications after nonassembled examinations.

SEC. 4. This act shall take effect on July 1, 1937, or as soon thereafter as it shall be approved.

Mr. COX. Mr. Speaker, I move to strike out the last word.

The SPEAKER. The gentleman from Georgia is recognized for 5 minutes.

Mr. COX. Mr. Speaker, several days ago the House very kindly granted me 1 hour's time for an address after the completion of the legislative program for today.

My address, Mr. Speaker, will be more or less factual and largely intended to be used as a basis for discussion later on.

Mr. Speaker, the industrial contest which is today driving the United States of America toward what may be a state of civil war is a titanic struggle between forces favoring industrial relations between labor and capital on the basis of an organized labor democracy, as represented in the American Federation of Labor, and forces favoring industrial relations between labor and capital on the basis of a labor despotism, as typified by the Committee for Industrial Organization. Beginning as an apparently internal disagreement in the American Federation of Labor, John Lewis and his cohorts have expanded the Committee for Industrial Organization movement into what now cannot be described by any other term than as a reign of industrial terror.

Both the philosophies and the modus operandi of the American Federation of Labor and the Committee for Industrial Organization are as far apart as the poles.

The American Federation of Labor system of an organized labor democracy is based upon a lawful and orderly procedure of collective bargaining to adjust capital-labor relations. The Committee for Industrial Organization believes in a lawless and disorderly procedure to force its own desired adjustments of capital-labor relations.



The American Federation of Labor, a conservative but aggressive aggregation of trade-unions, has, over the years, demonstrated its disciplinary control over its unions and its high regard for the inviolability of its contracts with employers.

The Committee for Industrial Organization, a radical if not communistic, reckless, and marauding aggregation of hastily formed unions, has demonstrated no disciplinary control over its unions, but has demonstrated its utter disregard for the inviolability of any contract it has made or may make with employers.

The American Federation of Labor officials have been duly elected by a fair vote of their membership on the basis of a pure labor democracy.

The officials of the Committee for Industrial Organization are a group of self-constituted leaders intent upon wielding a despotic power over the laboring men and women of America. They have never been elected to their offices by any group.

The American Federation of Labor operates under a duly adopted constitution and bylaws approved by its membership.

So far as I have been able to ascertain, the Committee for Industrial Organization operates under no constitution and no bylaws, except the will and desires of John L. Lewis and his cohorts.

The American Federation of Labor grants autonomy to its member unions.

The Committee for Industrial Organization demands and secures absolute submission of its member unions to the mandates of John L. Lewis.

The American Federation of Labor revenues and expenditures are audited and accounted for to the general membership of the organization.

So far as I have been able to ascertain, the Committee for Industrial Organization makes no accounting to its union membership for dues or special assessments collected and expended.

The American Federation of Labor operates on a basis of voluntary membership of working men and women in its craft unions.

The Committee for Industrial Organization operates on a basis of an involuntary and impressed membership of working men and women in its unions.

The American Federation of Labor is a strictly nonpolitical labor democracy.

The Committee for Industrial Organization is a labor-political-communistic organization, insofar as its leaders are concerned.

The American Federation of Labor never makes any political contributions to any party.

The Committee for Industrial Organization made the largest single contribution in history to a political party in the last campaign.

The American Federation of Labor has always sternly rejected from its membership those who advocated a communistic government for the United States.

The Committee for Industrial Organization staff of officials, strike directors, and organizers are shot through and through with avowed Communists.

The American Federation of Labor has never made the closed shop and the check-off system a strike issue.

The avowed intention of John L. Lewis and the other Committee for Industrial Organization leaders is to make every industry, big and small, in the United States a closed shop—a Committee for Industrial Organization closed shop—with the check-off system.

The American Federation of Labor has at all times advocated legal methods of strike and picketing.

The very essence of the Committee for Industrial Organization technique is lawless methods of striking and armed picketing.

The American Federation of Labor invariably takes a vote of its membership in any industry before a strike is adopted—even as a last resort—to effectuate collective bargaining.

The Committee for Industrial Organization, with its group of sit-down technicians, and its strong-arm squads always strikes first without the consent, and usually without the knowledge, of the workers in any industry, and, after suspending operations, impresses those workers into membership in the Committee for Industrial Organization.

The American Federation of Labor has always maintained its operations within the realm of the economic field, where they properly belong, in striving to achieve better adjustment of wages, hours, and working conditions.

The Committee for Industrial Organization has shifted the problem of industrial relations between employers and employees from the economic field into a political movement; and that political movement has been shifted by the leaders of Committee for Industrial Organization into a communistic political movement.

The American Federation of Labor has always maintained the theory of the vested right of the worker in his job at proper wages, hours, and under proper working conditions.

The Committee for Industrial Organization holds to the theory that the worker not only has a vested right in his job but that he also has a vested ownership in the plant in which he may for the moment be working, and is therefore entitled to sit down and suspend operations whenever he so desires.

The American Federation of Labor has never countenanced and has never permitted an outlaw strike by any of its unions in defiance of a contract with employers. It has always appropriately disciplined such unions on the rare occasions of such action.

Committee for Industrial Organization unions, according to Dorothy Thompson, in the Washington Evening Star of Monday, June 21, have had 180 strikes in some part of the motors industry in 180 days since a solemn written agreement was signed between General Motors and Committee for Industrial Organization.

In short, the difference in the concept of industrial labor relations between the American Federation of Labor and the Committee for Industrial Organization is the difference between American constitutional government and the communistic concept of government of Soviet Russia.

The American Federation of Labor has fought for 50 years for the one objective of bettering the condition of the American working men and women.

The Committee for Industrial Organization is fighting for the declared objective of making John L. Lewis the labor czar of America, with a group of self-avowed Communists as his chief lieutenants and advisers.

In the Committee for Industrial Organization movement America today faces an organized terroristic movement which is utterly ruthless, utterly irresponsible, utterly unprincipled, and utterly foreign to any logical concept of the principles of either of the two great political parties of this country; utterly foreign to every concept expressed in the Constitution, completely at variance with everything we have known in this Nation since its birth in the way of organized movements for the improvement of our economic, industrial, or social conditions.

While the American Federation of Labor has always based its movement and its operation on a logical ground of economic necessity and advantage for the whole people, the Committee for Industrial Organization has proceeded, from the day it was conceived in the mind of John L. Lewis, on the basis of an appeal to the basest emotions and the grossest motives that can actuate those persuaded and propagandized into bitter class hatreds and warfare.

It is time that the emotionalism, the deception, and the cowardly acquiescence to a surge of organized lawlessness be stripped from this situation, and the true picture held up before the American people in all of its sinister and ugly possibilities.

How does the Committee for Industrial Organization operate?

A group of sit-down technicians, in no case employed in the industry they are going to strike, decide upon a demonstration of power by either the sit-down method or by the



armed picket method. Outside of a very few key places in the industry which is to be struck, no information is given to the rank and file of the workers in that industry. Suddenly the wheels stop. A small group of these sit-down strikers take wholly illegal possession of the plant. They immediately debar the law-abiding workers from entrance into the plant. To do this, if necessary, they quickly resort to armed intimidation, slugging, assassination, sabotage—any method which at the moment may be regarded as the most effective to frighten the workers and to force the employers to come to such terms as the Committee for Industrial Organization may desire, and by throwing large bodies of massed pickets around the plants, many of these pickets being imported from other States.

Owners of property are barred from their own premises. The United States mails are stopped. The duly constituted courts are defied. The law-enforcement agencies are ignored or resisted.

No appeal is made to the National Labor Relations Board for a free and fair referendum to ascertain whether or not the majority of the workers in the industry want to be represented in collective bargaining by the Committee for Industrial Organization.

Instead of that, these lawless strikers seize the properties; plant records are destroyed, furniture is befouled and defaced.

Not the slightest consideration is given to the economic loss forced upon the workers who, satisfied with the wages, hours, and conditions, are for days and weeks denied their constitutional right to engage peacefully in the vocations upon which they depend for a living for themselves and their families.

Not the slightest consideration is given to the economic loss imposed upon employers and innocent stockholders.

No consideration is accorded the inarticulate mass of ultimate consumers who must finally pay the penalty in increased prices for all the depredations, loss of wages, loss of profits, and suspension of production of real wealth.

Time and again—and it is happening now—the duly elected officials of cities and towns are defied and threatened with armed raids upon their communities, by legions of deluded and power-drunk Committee for Industrial Organization followers, led into these communities from the outside by communistic directors.

When met by determined citizens, properly armed and deputized by their officials, to protect the homes and the towns and the industries of this country, and when some of the Committee for Industrial Organization followers get bruised heads and blackened eyes, and in some cases when they are shot down while on their lawless raids, what happens? John Lewis and his communistic cohorts howl to high heaven of "butcheries", "massacres", "bloody outrages." When the Committee for Industrial Organization pickets beat up honest workmen who want to go to their peaceful employment in the plants, John Lewis and his lieutenants approve it as being necessary incidents in a good cause.

Very rarely, indeed, is any communistic leader of these deluded Committee for Industrial Organization followers ever found in the forefront of the battle. They are always far back behind the lines inciting their excited dupes to these assaults upon peaceful citizens, and these defiance of the courts and the constituted law enforcement agencies. It is characteristic of this communistic breed, which is so active in carrying on the Committee for Industrial Organization depredations, that they are willing to fight to the last drop of the other fellow's blood. But they always make sure that their own heads are well out of the way of police clubs.

By a cowardly and supine surrender to these lawless forces in their initial depredations in the Michigan sit-down strikes we invited exactly the condition that we have in this country today. This is proved beyond question by the fact that those States whose governors had the moral and political courage to declare that the lawless methods of the Committee for Industrial Organization would not be tolerated have

been free of such scenes of carnage and disorder as have characterized the seven States now terrorized by this incipient revolution.

It would seem too grotesque for credence, if it had not happened, that conditions such as obtain in Michigan and Ohio and Pennsylvania could come to pass in the United States of America in A. D. 1937. What a sinister and alarming spectacle we have witnessed in Michigan when the troops were called out to protect and maintain sit-down strikers in their illegal possession of industrial plants, while orders of the courts were defied by the Committee for Industrial Organization.

What a sinister and utterly dangerous event, pregnant with the possibilities for red revolution, we have witnessed in the great State of Pennsylvania. There 14,000 peaceful men quietly engaged, under their constitutional rights, at their vocations in a steel plant were driven from their work by the bayonets and the pistol muzzles of Pennsylvania guardsmen and State police because a group of self-appointed Committee for Industrial Organization leaders had decreed they should not work until they submitted to forced membership in that organization.

What an alarming and utterly dangerous situation has arisen that thousands of men desirous of pursuing their peaceful employment in the steel plants of the Middle West should be driven from their labors at the point of bayonets because a group of self-appointed Committee for Industrial Organization strike leaders decreed they should not work.

What sardonic and unbelievable effrontery these Committee for Industrial Organization leaders have displayed in successfully petitioning the President to close the steel plants because of the "awful carnage", "dreadful scenes", "horrible bloodshed" that would be precipitated by the Committee for Industrial Organization strikers if peaceful American citizens were permitted to continue their work in the struck plants.

I wonder if the full implication of this audacious thing has reached the mind of America yet. Here a group of Committee for Industrial Organization strike technicians struck these plants for no other reason than that they wanted a written contract with the independent steel industry, designating the Committee for Industrial Organization as the sole bargaining agency of all the workers in that industry.

They stationed armed pickets, in defiance of the law and the law-enforcement agencies, to prevent ingress and egress of the workers. They stopped the United States mails. They shot into airplanes. And then they appealed to the President to see that peaceful employees were ejected from the plants by military force, because otherwise these lawless Committee for Industrial Organization groups would not be able to restrain themselves, and carnage and bloodshed would result. It is unfortunate and regrettable that the President acquiesced.

The Committee for Industrial Organization in these cases has made no appeal to the National Labor Relations Board for a free and voluntary referendum of the steel workers as to who shall represent them in their collective bargaining.

There is no issue of wages, or hours, or working conditions involved. The employers have agreed to every wage- and hour- and working-condition demand. The sole issue upon which all this lawlessness and disorder and bloodshed is based is an arrogant demand by the Committee for Industrial Organization leaders that the employers sign a written contract with them recognizing them as the sole representatives of all labor in the industry.

I hold no brief for Tom Girdler and his kind. I think they have been very unwise in their attitude toward labor over the years in the steel industry. That does not alter the fact that two wrongs never made a right; that two lawless and immoral attitudes never create a lawful and moral attitude; that two wrongful acts will not result in a right one.

Let us see what lies behind a written contract between the employers and the Committee for Industrial Organization:

The simple statement sounds logical that if a man is willing to make an agreement he should be willing to put his name to it. Here is a picture of what a signed contract between



employers and the Committee for Industrial Organization means, and has been demonstrated to mean:

It means that the employer is fully responsible for the performance of his part of the contract. It means that there is not one iota of responsibility on the part of the Committee for Industrial Organization to perform its part of the contract. Committee for Industrial Organization leaders have violated their contracts with employers scores of times.

A written contract with the Committee for Industrial Organization means new demands by irresponsible leaders, forced by extravagant promises to their deluded followers, for higher wages and shorter hours, without any regard to the economic laws governing production costs and consuming markets that set limits upon such demands.

A written contract with the Committee for Industrial Organization inevitably means—and it is so avowed by John L. Lewis and his lieutenants—a subsequent demand for a closed shop and the check-off system, precisely as John Lewis brought about the closed shop and the check-off system in the United Mine Workers of America.

What do the closed shop and the check-off system, under the Lewis concept of industrial relations, mean?

They mean that the American Federation of Labor craft unions would necessarily disappear from the economic picture in America. Every man and woman employed in any industry, big or small, dominated by the Committee for Industrial Organization, would have to submit to involuntary membership in the Committee for Industrial Organization as a condition to securing employment and making a living. They could not escape this condition. It would mean that no worker in America, be he skilled or unskilled, would dare, in his place of employment or the precincts of his own private home, to breathe one word of discontent or disrespect that might be heard by any member of the Committee for Industrial Organization OGPU on pain of being black-listed by the Committee for Industrial Organization and denied any chance to make a living for himself and his family at his trade anywhere in America.

A signed contract with the Committee for Industrial Organization will mean eventually the check-off system. What does the check-off system mean? It means that every worker in every industry dominated by the Committee for Industrial Organization, as a condition of his involuntary and forced membership in the industrial union, would have to agree that any dues or special assessments levied against him as a tribute for his right to work would be withheld from his pay envelope by his employer upon orders of John L. Lewis, and, without the employee's consent or knowledge of the reason for such tribute, be transmitted by the employer to the treasury of John L. Lewis.

For any political or other purposes which he might choose, such a system would give John L. Lewis and his communistic cohorts a fund of untold millions a year with which to corrupt politics, buy elections, bribe officials, or use for any other purpose this labor czar of America might desire.

Such a system is plain unadulterated labor despotism.

There is no shadow of question that John L. Lewis and his leaders mean to move to that ultimate goal of the closed shop and the check-off system just as quickly as they can bludgeon American industry into submission to their power.

There is another and even more sinister picture to be drawn.

John Lewis and his lieutenants are now engaged in the unionization under the Committee for Industrial Organization banner, and according to the Committee for Industrial Organization concepts, of 3,000,000 Government workers, Federal and State. Newspaper reports have quoted some of the Committee for Industrial Organization leaders as saying that "as yet" the Army and Navy forces are not to be so organized. "As yet" the employees of the United States Postal Service are not to be so organized. Those two words, "as yet", contain implications of the gravest danger to this Nation, to our constitutional democracy, and to the personal liberties of our people.

Does anybody believe that when John Lewis and his communistic assistants have thoroughly organized the Federal and State and city employees that these labor commissars will hesitate to demand and to secure the most confidential documents in the files of the Government?

Does anybody question my assertion that the motivating force behind the Committee for Industrial Organization is communistic? Read the article entitled "John L. Lewis, His Labor Record" in the American Mercury Magazine for June.

Let me read you a paragraph from an editorial in the Daily Worker of June 22 last, this being the central organ of the Communist Party, United States of America, a section of the Communist International. This Communist newspaper is printed in New York. In an editorial entitled "Neither Spies Nor Weir's Hatchet Gang", the Daily Worker says:

Now is the time to enroll the steel workers into the Communist Party, in every steel State and community. They are filled with new hopes in their great awakening. They are eager to listen to the party's message.

What can be a greater contribution to the advance of socialism in America than thousands of steel workers proudly enrolled under the banner of the Communist Party?

I have in my possession an authentic transcript of the plan of campaign for a general steel strike worked out by America's leading Communist, William Z. Foster, in Pittsburgh in 1936, the details of procedure of the present steel strike were laid down in their entirety in that plan.

I have in my possession an authentic list of the names of the organizers for Committee for Industrial Organization, which shows that 75 of them are members of the Communist Party. In addition to these 75 there are working as volunteer organizers 46 others who are known or suspected Communists. I have the names of these organizers and the cities in which they are working. Thus, out of an organizing staff of 249 people, 121 of them are self-avowed Communists or are known to be Communists.

It is not unknown to John Lewis that most of his chief aides and many of his organizers are Communists. He has publicly condoned that fact in more than one statement. The names of many of John Lewis' closest advisers and co-officials in the Committee for Industrial Organization have been placed in the RECORD of this House by other Members with the proof that they are Communists.

It is known to the commanding officers of both the military and the naval services that Communists are recruiting members to their party among the civil and the enlisted personnel. It is known that these Communist workers are carrying on their activities here in the Washington Navy Yard, at Brooklyn, and in the navy yard at San Francisco. Wherever these military and naval forces are stationed these communistic workers, men and women, are busy proselyting. The proofs behind these charges are available whenever any investigating committee of this Congress desires them to be produced.

The avowed purpose of John Lewis and his Committee for Industrial Organization is to create a political party with a large enough treasury—an obvious necessity—which, with the tremendous voting power of his labor forces, will give to him control of the Presidency and the Congress.

In addition to the aid the Committee for Industrial Organization has received from public officials, who are either too cowardly or blind to the ominous trends to perform their sworn duty in the face of John Lewis' threats, we have learned in the last few days that the strikers, as well as the men and women rendered idle through no desire or fault of their own, are to go on relief. If there is anything that has not been done by the Federal and several State Governments to aid and abet John Lewis in establishing a labor despotism in the United States of America, it would be difficult to imagine what it could be.

As I said awhile ago, we have invited this dangerous and costly condition because the Federal and State officials did not meet this threat as it should have been met, by a firm declaration that law and order would be maintained, that the



rights of private property would be upheld, that the rights of men and women to pursue their vocations without interference would be preserved, and that the edicts of the duly constituted court would be enforced by whatever armed force of the Federal and State Governments might be required.

To temporize with this movement is like temporizing with a deadly plague creeping over the country. To continue to temporize with this movement will be to invite utter disaster for this Nation.

If we are for a moment to admit that millions of working men and women who are satisfied with their wages and their hours and their working conditions are to be summarily denied their right to earn their living without being impressed into membership in the Committee for Industrial Organization, or in any other organization, we must be prepared to admit that this Government is no longer capable of maintaining the constitutional rights and privileges of its citizens.

If we are going to pursue a policy of encouraging defiance of the courts, of approving lawlessness and disorder, of condoning illegal seizures of entire industrial plants, and if we are going, as we already have gone, a dangerous step further, and use the armed forces of the States, and finally of the Federal Government itself, to compel satisfied wage earners to submit to conscription into the Committee for Industrial Organizations, then we must be prepared to admit not only that this Government is no longer capable of maintaining the constitutional rights and privileges of its citizens, but that it has gone into partnership with the forces of lawlessness and disorder; it has joined hands with a labor despot; it has embraced communism in industrial relations.

In my own Southland we have conditions unlike industrial conditions in the North, in the West, and in the East.

It is the declared intention of John Lewis, Sydney Hillman, and other Committee for Industrial Organization officials to invade the South and to organize both the white and the Negro labor of the Southern States—under the banner of the Committee for Industrial Organization—into a political party as well as a labor union. The proofs are at hand that Committee for Industrial Organization organizers have been convening meetings of Negroes in different parts of the South, at which they have preached social and political equality. They have promised those Negroes shorter hours and higher wages, and they have gone even further and promised them that through the Committee for Industrial Organization the Negroes would be able to dominate the white man's industry of the South.

There is not a Member of this Congress who comes from the Southland who does not know what awful and bloody possibilities lie alarmingly near the surface in any such situation as that.

I find myself amazed that the southern Members of this Congress do not rise en masse to strangle this movement in the South which will inevitably result not only in utter chaos in industrial conditions, but which will lead many a man, white and colored, ordinarily orderly and law abiding, into a conflict that can only end in havoc, bloodshed, and loss of lives.

I warn John L. Lewis and his communistic cohorts here and now that no second "carpetbag expedition" in the Southland, under the red banner of Soviet Russia, and concealed under the slogans of the Committee for Industrial Organization will be tolerated. If minions of the Committee for Industrial Organization attempt to carry through the South their lawless plan of organization, if they attempt to demoralize our industry, to corrupt our colored citizens, to incite race hatreds and race warfare, I warn them here and now that they will be met by the flower of southern manhood, and they will reap the bitter fruits of their own folly.

It is a lamentable and perilous situation that the apparent tendency of the National Labor Relations Board has been to aid and abet the Committee for Industrial Organization movement at the expense and to the disadvantage of the American Federation of Labor ever since the Supreme Court decided that the Wagner Act was constitutional.

We were promised that the purpose of the National Labor Relations Act was to bring about industrial peace and sanity. We were assured that it would offer through the National Labor Relations Board a much-needed agency by which collective bargaining between industry and labor could be achieved without strikes and bloodshed. We were assured that its functions would be similar to those of the Railway Labor Board, and that the effect of the law would be to produce an era of cooperation between capital and labor which has, on the railroads of this country, prevented strikes for many years.

The National Labor Relations Board has not performed that function. The attitude of the National Labor Relations Board has clearly been that of a partisan adherent of the Committee for Industrial Organization. It has time after time submitted in a so-called free and voluntary referendum ballots which in effect said, "Do you want the Committee on Industrial Organization to act as your collective bargaining agency?" Thus the Labor Board has left no alternative for workers in industry but to choose Committee on Industrial Organization as their bargaining agency or remain without any organized representation.

The American Federation of Labor has protested and is now protesting to the National Labor Relations Board this unfair and prejudiced action. If the National Labor Relations Board does not display a better spirit of fairness it will be necessary for this Congress to amend the act so that the Board will be compelled to be unprejudiced in its operations and decisions.

My chief concern is for the laboring men and women of this country. I do not want to see them conscripted into membership in the Committee on Industrial Organization against their will, or into any other labor organization. I am for labor organization, but I am for voluntary, democratic, American labor organization.

I do not want to see the wage earners of this country compelled to pay tribute to any labor despot or to any group of labor commissars for the privilege of exercising their constitutional right to work and to earn a living.

I have but to look at labor under Mussolini in Italy; I have but to look at labor under Hitler in Germany; I have but to look at labor under Stalin in Russia; I have but to look at labor in Turkey under Kemal Pasha, to learn what will be the plight of labor in America under the despotism of John L. Lewis or any other man who attains to the stature of a labor czar.

My next concern is for the consumers of this country. These consumers must in the end pay the full price for whatever power John Lewis and his communistic cohorts obtain and for the tribute which they will take from the pay envelopes of the wage earners of America. Every dollar of damage, every economic loss caused by these lawless outbreaks, these disorders, these epidemics of illegal strikes, will inevitably have to be paid for out of the pocketbooks of the ultimate consumers of this country.

I favor the highest wages, the best hours, and the most pleasant working conditions it is possible to give the wage earners of America which would be compatible with the purchasing power of the people of this country to afford a market for the products of the workers. But I do not favor any headlong, reckless, irresponsible, lawless terroristic attempt to adjust industrial relations that will precipitate a buyers' strike through inordinately high prices, which would in turn surely close the factories and put the deluded followers of the Committee for Industrial Organization leaders in the bread line along with other helpless wage earners.

John Lewis knows, his communistic cohorts know, we all know, that Mr. Roosevelt himself has been depending for the salvation of this great Nation upon the upturn in business, a return of prosperity to industry. With unerring accuracy, John Lewis and his advisers picked the moment when a recuperating industry was again beginning to hit its stride; they picked the moment when prosperity was returning to bring about this disruption in industrial labor relations. The wheels of industry are slowing down and



growing silent. Millions of dollars in lost wages and lost profits are mounting day after day. Investors are growing fearful of entrusting their money to industrial uses knowing not what they face from the Committee for Industrial Organization.

If this movement is not sternly curbed, it will lead this country directly into a new deflation. If this lawlessness is not strangled, if this disorder is not stamped out like a plague, this country will see civil war.

The wage earners of America must remember that when the right of private property is denied to the industrialists the right of private property is denied to those of the workers who own their own homes.

It is a sinister picture indeed that we face when we recall that the National Labor Relations Board has ruled in the case of a small Virginia industry that it could not be moved from one section of the State to another unless the owners moved their employees and their families to the new location at the expense of the company. It is but one step further—and a very short step indeed—to a decision by the Labor Board that the owner of a factory cannot close his plant without the permission of the Board. Regardless of what the Labor Board may call that sort of thing, it is governmental absolutism.

In the State of Michigan today there is pending before the legislature an act providing that if an employer cannot peacefully operate his business in event of a strike that the State shall take over and operate the plant. It is but one step further—and a very short step, indeed—to the confiscation and socialization of all industry in the United States.

The condition in Pennsylvania, the condition in Michigan, the condition in Ohio and in other States point unerringly to this final result:

If the Governor of Pennsylvania, the Governor of Ohio, and the Governor of Michigan are willing to use the armed forces of the Federal or State Government to close industries because the Committee for Industrial Organization pickets threaten bloodshed if those industries are not closed, then we have arrived at the point where in any community, at any time, the leaders of the Committee for Industrial Organization can, without consulting the workers employed in that industry, picket the plant and be assured of the use of State or Federal troops or police to help them make their picketing effective until they secure whatever demands they may make.

Mr. Speaker, there is no middle ground in this situation. It is law or it is lawlessness. It is order or it is disorder. It is right or it is wrong. It is justice or it is injustice. No compromise with lawlessness, disorder, wrong or injustice is possible if this Nation is to survive as a constitutional democracy.

There is no middle ground, I say. There is only one course for the President, for the Governors of the States, for the courts and law-enforcement agencies to follow, and that is a firm and unflinching adherence to the principles of justice and law and order, let the cost be what it may from the standpoint of political expediency.

Let me paint you one last picture:

Not long ago the great Saginaw Valley in the State of Michigan suddenly found itself paralyzed. The wheels of industry stopped. Hospitals went dark with patients on the operating tables under the knife. Elevators stopped between floors. Fire alarms were stilled. Public transportation ceased and people found themselves trapped in high buildings or many weary miles from their homes. Refrigerators in private homes, hotels, restaurants, and markets ceased to function, and thousands of dollars worth of food spoiled. A vast economic loss was imposed upon this great industrialized valley of Saginaw, while 192 towns and villages and four great industrial cities remained helpless. And for 24 hours that condition prevailed. Why?

Because a disgruntled group of power company employees, led, it is said, by a boy 22 years of age, pulled the switches in the power-house that furnished the electric energy for the

power and light and heat in that great valley. There was no notice. There was no parley. Suddenly the blow fell that paralyzed the valley. Why did these men do that thing?

Why? Because they grew impatient over a few hours' delay in the negotiations at the moment being conducted in Washington by John L. Lewis and other representatives of the Committee for Industrial Organization for the power company employees of the Saginaw Valley.

At the very instant those reckless men pulled the power switches the utilities company had signed a contract satisfactory to John L. Lewis and the Committee for Industrial Organization representatives of the employees of the power company. We then witnessed the spectacle of Committee for Industrial Organization leaders chartering a plane and flying to the Saginaw Valley in order to persuade those irresponsible industrial vandals to put the switches back in contact and release that valley from paralysis.

What explanation did John L. Lewis and his cohorts give for that lawless and despotic act? Their explanation was an attempt to waive that ominous incident aside with the statement that "It was an unfortunate outburst of impatience", and that "It was all a misunderstanding." Was there one word of regret for the economic loss imposed upon the workers and the employers, the householders, and the businessmen of the Saginaw Valley? Not a word.

Was there any assurance that these hotheaded, irresponsible, impatient men would be punished under the law or disciplined by the Committee for Industrial Organization? Not one word. Have they been punished for that lawless act? Not to this good hour. Have they been warned that it is an outrage not to be tolerated to cut off power and put out lights in hospitals, with patients on the operating tables, to cause elevators to stop between floors, to trap people in high buildings, to cause the spoilage of food in thousands of homes and markets? They have not. Does this ominous occurrence tell America anything?

The city of New York could find itself in that critical condition; it might also occur in the city of Chicago or the city of Washington, or in any large city in this country. A small group of reckless and power-drunk men, blinded and deluded by Committee for Industrial Organization propaganda and the dreams of dominating industry, could disrupt the water systems, the sewer systems, power systems, public transportation, communication, the hospitals, industry, and business in general of any city or community upon which they might choose to vent their wrath or display their lawless, despotic power.

Unless I very greatly misjudge my country and my countrymen, this menacing condition will not much longer be tolerated. If the Federal and State and county officials do not prove faithful to their oaths and duty, if this sinister movement is not brought within the bounds of law and order, this country will witness an uprising of its outraged citizens in protection of their industries, their businesses, their employment, and their homes.

And that, Mr. Speaker, will be civil war!

#### ORIGINAL LIST OF COMMITTEE FOR INDUSTRIAL ORGANIZATION AND STEEL WORKERS' ORGANIZING COMMITTEE ORGANIZERS

(Prepared June 19, 1937)

##### ORGANIZERS

(Salary, \$160 per month and expenses)

Numerals denote the organization from which the organizers were drawn, and 8 shows volunteer worker.

##### LEGEND

1. United Mine Workers of America.
2. Mine, Mill, and Smelter Workers.
3. Amalgamated Association of Iron, Steel, and Tin Workers of North America.
4. International Longshoremen's Association.
5. Electrical Workers.
6. Garment Workers.
7. Communist Party.
8. Volunteer worker.
9. Glass Workers.
10. Clothing Workers.

Numerals	Names	Location
2	Wm. Anderson	Chicago.
3	Albert Atallah	Aliquippa.
3	Geo. D. Athya	Apollo.
7-8	Helen Anderson	Indiana Harbor.
1	Bunny Askey	Johnstown.
1	Meyer Adelman	Waukegan.
7-8	D. Antanio	Pittsburgh.
1	Monroe Adcock	Do.
7-8	Arthur Anderson	Gary.
8-3	T. B. Anderson	South Chicago.
7-8	Amos Archer	Youngstown.
3	Alfred Avella	South Chicago.
3	Robert Burk	Youngstown, Ohio.
8-3	Maurice Brown	Steubenville, Ohio.
1	Louis Buhaley	Youngstown, Ohio.
1	Alfred Bittner	Ambridge.
3	B. Baird	South Chicago.
1	— Battaglia	Indiana Harbor.
2	Noel R. Beddow	Birmingham.
7-8	J. Burns	Gary.
7-8	Jos. Baron	McKeesport.
1	Bill Blizard	Chicago.
1	Cal Believer	Canton.
3	Hy Braun	Chicago.
1	Virginus Browning	Birmingham.
1	Ike Bullard	Do.
1	Sam Bakely	Cleveland.
7	Louis Bedenz	Pittsburgh.
7-8	Jas. Barton	Birmingham.
7-8	Robt. Brown	Chicago.
7-8	Frank Butler	Pittsburgh.
7-8	— Burk	Youngstown.
3	Joe Bowen	Wellsburg.
8-3	Louis Baker	Martins Ferry.
8	James Burns	Gary.
1	Thomas Butler	Johnstown.
1	J. P. Bussarella	Pittsburgh.
8-3	Alex Balint	Cleveland.
9	Ferdinand Bundel	Tarentum.
1	John Cingue	Steubenville, Ohio.
3	M. A. Carr	Chicago, Ill.
8-3	Richard Carr	Steubenville, Ohio.
8-3	Bill Coleman	Do.
8-3	Carl Cotton	Do.
8-7	Margaret Cowe	Pittsburgh.
7-8	John Chesovich	Clairton.
8-7	Ben Carrouthers (col.)	Do.
1	John Cocodrilli	Bethlehem.
3	Thomas Cometa	Do.
1	Smile Charak	Wildwood.
7-3	Elmer F. Cope	Youngstown.
7-8	— Cox	Duquesne.
7-8	— Chandler	New Kensington.
7-3	Jas. Carey	Pittsburgh.
7-8	Harry Cope	Youngstown.
7-8	Harry Conner	Gary.
7-8	Robt. Cling	Chicago.
7-8	Paul Cline	Sparrows Point.
7-8	Tony Candrea	Gary.
7-8	Robt. Cruden	Chicago.
2	— Cole	Cleveland.
8-3	— Casey (Otis)	Beaver Valley.
7-8	— Carpenter	Ambridge, Pa.
3	Peter Carpa	Chicago Heights.
1	— Chabalas	Steubenville, Ohio.
1	John Divens	Do.
3	Jack Davis	Washington, D. C.
8-7	John P. Davis (col.)	Clairton.
8-3	Melon Dobricie	Homestead, Pa.
1	John Dolphin	Pittsburgh.
7-8	John Derkich	Do.
7-8	David Doran	Do.
3	Jas. Draperchic	Do.
7-8	Joe Dallet	Youngstown.
7-8	Will Dunne	Chicago.
8-3	J. J. Davey	South Chicago.
3	Charles Davis	McKeesport.
3	— Donoran (Otis)	Cleveland.
8-5	— Davis (Otis)	Do.
3	Dick Evans	Portsmouth, Ohio.
3	Wm. Evans	Waukegan.
7-8	James Egan	Homestead.
7-8	Herman Enkuist	Gary.
1	Nick Fontecchio	Chicago, Ill.
1	Wm. Feeney	Monessen, Pa.
1	Patrick Fagan	Pittsburgh.
3	Paul Fuller	New Kensington.
3	Chas. J. Flegger	South Chicago.
1	Frank E. Flynn	McKeesport.
1	Dave Fowler	Birmingham.
3	Jake Fink	Chicago.
1	Anthony Federoff	Sharpsburg.
8-3	— Favorita (Otis)	Cleveland.
7-8	Salvatore Falvo	Pittsburgh.
3	George Ferguson	Farrell.
1	John Grecula	Monongahela Valley.
1	Adolph Germer	Detroit, Mich.
7-1	Ted Gaul	New Kensington, Pa.
8-3	Joe Gilbert	South Chicago.
1	John B. Gallagher	Bethlehem.
7-8	Bill Gebert	Pittsburgh.
1	Leonard J. Green	Birmingham.
3	C. T. Greenwood	Steubenville.
7-8	Ben Green	Chicago.
7	Jos. Gollomb	Pittsburgh.
8-3	Mike Habina	Braddock, Pa.
1	Lee Hall	Steubenville, Ohio.
3	Charles Henry (col.)	South Chicago.

Numerals	Names	Location
7-8	Roy Hallas	McKeesport, Pa.
7-8	John Hallas	Do.
1	Powers Rapgood	Pittsburgh.
3	James Hart (col.)	Gary.
8-3	Tod Hunter	South Chicago.
1	Ira Hart	Do.
1	Blackie Harris	Birmingham.
1	Dannie Haley	Do.
7-8	Robt. Hall	Do.
7-8	Frank Herron	Gary.
8-3	Wm. Hill	South Chicago.
4	Homer Henderson	Indiana Harbor.
9	Jack Hassen	Sharpsburg.
7-8	C. A. Harris	McKeesport.
7-3	Jas. Hull	Martins Ferry.
7-3	Carl Haessler	Chicago.
7-3	Will Hubert	Pittsburgh.
7-3	Clarence Irwin	New Castle, Pa.
4	Henry (Ben) Johnson	South Chicago.
8-3	Paul Juhasz	Donora.
8	Jack Johnstone	Chicago.
8-3	— Jenkins	South Chicago.
8-7	George Jaroway	Ambridge.
8-7	Joe Jurcich	Midland.
8-7	Hy Jackson (ex-district organizer, Birmingham and San Francisco)	J. and L., Pittsburgh.
7-8	Vladimer Janawicz	Chicago.
7-8	John Julio	Youngstown.
3	Jas. Kirkland	Chicago.
3-8	— Keim	South Chicago.
3-8	— Kowalski	Do.
1	Robt. B. Kimble	Baltimore.
3	Anthony Kovalski	Weirton, W. Va.
3	C. R. Kramer	Bethlehem.
7-8	Steve Kiki	McKeesport.
7-8	Thomas Keenan	Pittsburgh.
8-3	Leo Kennedy	Gary.
1	Sam D. Kepler	Farrell.
1	Garfield Lewis	Bethlehem.
1	George Lorey	Pittsburgh.
1	Chubby Lark	Do.
8-3	— Lohman	Cleveland.
1	Miss Sarainne Lowe	Chicago.
3	Geo. Lambert	Weirton.
3	— McDonald (col.)	Indiana Harbor.
8-3	Bert Milligan	South Chicago.
8-3	T. Mellinger	Arnold.
3	Grad Matthews	Steubenville, Ohio.
3	John J. Mullen	Clairton, Pa.
1	Geo. Medwick	Charleroi, Pa.
7-8	Thomas Moore	McDonald, Ohio.
1	A. B. Martin	Johnstown, Pa.
1	John Mayo	Charleroi, Pa.
8-3	— McNellis	South Chicago.
7-8	E. R. McKinney (col.)	Youngstown.
1	— McCrone	Bethlehem.
3	John S. Mayer	Sharon.
7-3	A. W. McPherson	McKeesport.
1	John J. McCarry	Pittsburgh, Pa.
8-3	Morris Mallinger	Monaca, Pa.
1	Ward Macabee	Steubenville.
1	Wm. Mitch	Birmingham.
1	Frank Miley	Chicago.
1	John F. Moody	Pittsburgh.
3	Matt Markowitz	Do.
1	Harold McMullen	Chicago.
8-3	James McCullough	Do.
8-3	— McKnight	South Chicago.
7-8	Wm. Murphy	Farrell.
7-8	Tony Minerich	Pittsburgh.
7-8	A. J. Marsh	Aliquippa.
7-8	John Marsh	Chicago.
1	Miles Morton, alias Zaliski	Do.
1	— McKay	Bellaire.
8-3	John Monarch	Martins Ferry.
8-7	Dave Mates	Gary.
3	— Moss	Chicago.
8-8	— Murphy (Otis)	Cleveland.
7-3	T. L. Majors	Ellwood City.
9	Glenn McCabe	New Kensington.
8-3	Jim Malone	Homestead.
7	McNeil	Worcester.
7-8-1	— Nakardo	South Chicago.
7	— Nordstrom	Waukegan.
3	Jos. North	Pittsburgh.
7-8	Joe O'Hara	Renton, Pa.
3	Andrew R. Olmstead	Chicago.
7-8	P. Frank O'Brien	Do.
7	Blane Owens	Pittsburgh.
7-3	Mike Ostroski	Gary.
8-3	Joe Petrich	South Chicago.
7-8	Mildred Price	Pittsburgh.
7	George Powers	Clairton, Pa.
3	Walter J. Payne	Yorkville, Ohio.
8-3	H. R. Patterson	South Chicago.
1	G. A. Patterson	Do.
1	Anthony Pann	Bethlehem.
3	Harry Phillips	Sharon.
3	Geo. Parsons	Gary.
7	Jake Rusak	Steubenville, Ohio.
3	Richard Reisner	Donora, Pa.
8-3	Mike Repka	Benwood, W. Va.
3	Paul Russen	McKeesport.
7	Arthur Rack (attorney)	Aliquippa.
1	Harold Ruttenberg	Chicago.
7-8	J. V. Rife	Waukegan.
7-8	Dan Ryan	Pittsburgh.
7-8	Ann Rochester	Pittsburgh.



Numerals	Names	Location
3.	Harold Rasmussen	Gary.
1.	Frank Rumbaugh	South Chicago.
8-3.	Wm. J. Sneed	Chicago, Ill.
7.	Lawrence Szkuski	South Chicago, Ill.
8-7.	Charles Sharbo	Homestead, Pa.
3.	Tom Shane	Do.
8-7.	Shearon	Do.
8-3.	Fred Siders	Do.
8-3.	George Sekerchak	Braddock, Pa.
8-3.	Andy Stewart	Waukegan, Ill.
8-3.	Phillip Scharer	South Chicago.
8-3.	Dan Serrieci	Gary.
1.	Frank Shiffka	Youngstown.
8-7.	Ralph Shaw	Calumet.
8-3.	Stewart	South Chicago.
3.	Nick Steponovick	Midland.
1.	John Sabal	Bethlehem.
7-8.	Carl Smith	McKeesport.
7-8.	Saunders	New Kensington.
3.	James Strong	Cleveland.
3.	Tim Sullivan	Chicago.
3.	Jas. Shallcross	Do.
1.	T. J. Sparks	Annisston, Ala.
3.	Leon Strong	St. Louis.
3.	D. P. Sullivan	Oakland, Calif.
8-3.	Carl Schmidt	Homestead.
7-8.	Nat Sparks	Pittsburgh.
7-8.	Tony Salopak	Duquesne.
1.	John Tafalski	Johnstown, Pa.
8-3.	Roman Taylor	South Chicago, Ill.
1.	Louis Tomiko	Donora, Pa.
1.	Harry Tetlow	Youngstown.
1.	Joseph Timko	Midland.
8-3.	Rade Travica	Do.
1.	Thomas	Johnstown.
1.	Paul Tobanko	Pittsburgh.
1.	Tom Tippet	Canton.
3.	Jas. Thimmes	Chicago.
7-8.	Sandor Voros	Youngstown, Ohio.
8-3.	August Virkich	Donora.
8-3.	Joe Vince	Yorkville.
1.	Leo Wisniewski	South Chicago, Ill.
3.	Frank Willys	Steubenville.
8.	Manuel Wood	South Side, Pittsburgh.
7-8.	Rose Wortis	Pittsburgh.
7-8.	Robt. Washington	Birmingham.
7-8.	Joe Weber	Gary.
4.	Emmett Woods	Indiana.
3-8.	John Williams	Coraopolis.
1.	Wilburton	Chicago.

Mr. COX. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the RECORD and include therein a list of Committee for Industrial Organization and Steel Workers' Organizing Committee organizers, showing the organization with which they are connected and the places where they are now located.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. BOILEAU. Mr. Speaker, reserving the right to object, I just want to ask the gentleman whether or not this list of organizers to which he refers is a complete list?

Mr. COX. It is a complete list as of date when first prepared. At least 50 percent of them are avowed Communists or known to be Communists.

Mr. BOILEAU. When was that list prepared, may I ask the gentleman?

Mr. COX. I am not prepared to give the gentleman the exact date when it was prepared.

Mr. BOILEAU. I should like to have definite assurance before I permit this request to be granted.

Mr. COX. The gentleman will be within the exercise of his right and privilege in objecting. I make the request, Mr. Speaker.

Mr. BOILEAU. Mr. Speaker, I have reserved the right to object. My only purpose is to identify the list, to know whether or not it is a complete list or whether the gentleman claims it to be a complete list. That is all.

Mr. COX. I do claim it to be a complete list and an accurate list.

Mr. BOILEAU. As of the present time or some time recently?

Mr. COX. June 19, as I recall.

Mr. BOILEAU. Of this year?

Mr. COX. Of this year.

Mr. BOILEAU. That is all I wanted to know.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. MAVERICK. Mr. Speaker, about 3 or 4 weeks ago there came about what amounts to a rule in this House that no one could make a speech until after the legislative business had been completed. I do not say that rule is wrong. I do not want to impede legislation, but I just want to bring up the question of the fairness of the rule and how it applies.

The gentleman from Georgia [Mr. Cox] made an attack on the Secretary of Labor the other day, and I have been seeking recognition for several days, but will not get it until Friday. It seems to me we ought to eventually build up some sort of a custom where a few short speeches can be made in the early part of the day. I had reservation of time and could not speak until 7 o'clock. I did not want to insist on that time so late in the day. So I think something should be done so that Members can make at least short statements.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. MAVERICK. I yield.

Mr. RANKIN. All we have to do is go back to the time-honored practice of the House of Representatives, that when a man gets permission to address the House he should be given that time to address the House at that hour and let the committees come on afterward. This way of shoving these special orders off until after legislation is disposed of simply amounts to "Cannonizing" the House of Representatives, if you want to know how I feel about it. This practice deprives the Members of the only opportunity they have to come down in the Well of the House and deliver their speeches. I think we ought to go back to the original rule and let the Members speak when they have secured time.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. MAVERICK. I yield.

Mr. RAYBURN. I want to say that the only way on earth, in my opinion, we can put into effect a program in the House is to do it the way we are doing it. For 2 months after the Congress met, before committees had reported a great many bills, I even announced that on Wednesday or Thursday of next week or Friday of next week there would be no program, and gentlemen could speak. At this late time in the session I am exercising the same right the gentleman from Mississippi has been exercising this afternoon, in objecting to unanimous-consent requests.

I think it is proper, in order to protect the legislative program, to protect these Mondays, these Tuesdays, and these Wednesdays, and the regular business of the House. I started this and I shall continue it until the close of the session.

Mr. MAVERICK. But let me point out, for instance, that the other day the gentleman from Georgia [Mr. Cox] got unanimous consent to address the House before the legislative program. It is a fact the gentleman from Texas [Mr. RAYBURN] was out of the room, and I think it was all right for the gentleman from Georgia to do what he did—I would have done the same thing. I am not criticizing the gentleman from Georgia. The result, however, is that when a Member wants to talk, the practice amounts to an effective gag. One of the things that is really wrong about it is that when you get a right to talk on a bill under consideration you get off the subject, just as we are doing now. The practice tends to disturb the relevancy of ordinary debate, and to otherwise gag the Members.

Mr. COX. Mr. Speaker, will the gentleman yield to permit me to make a brief observation?

Mr. MAVERICK. I yield.

Mr. COX. While this new rule has operated against me today, to my very bitter disappointment, still I think it is a very sensible practice.

Mr. MAVERICK. Of course the gentleman and I disagree on lots of things, and this is one of them.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. MAVERICK. I yield to the gentleman from Wisconsin.

Mr. BOILEAU. Formerly we used to have a week now and then when there was nothing very important brought

up. Formerly when appropriation bills were brought up we used to have 3, 4, 5, or 6 days of general debate. Now when a week comes along with nothing particular to do we jam through an appropriation bill in a few hours and no one has any opportunity to talk. In former years, too, of course, we used to work on Saturdays. I think this is a situation that needs to be corrected.

Mr. MAVERICK. I just want to present that thought to the House as something that ought possibly to be changed. The expression of opinion pro and con on any subject is one of the most important functions of the House, whether it concerns actual legislation or not. The present situation should be corrected.

[Here the gavel fell.]

Mrs. NORTON. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 642. An act for the relief of the Indians of the Fort Berthold Reservation in North Dakota; to the Committee on Indian Affairs.

S. 676. An act for the relief of Heinrich Schmidt, G. m. b. H., of Flensburg, Germany; to the Committee on Claims.

S. 714. An act relating to the eligibility of certain persons for admission to the civil service; to the Committee on the Civil Service.

S. 821. An act for the relief of Lawson N. Dick; to the Committee on Claims.

S. 1216. An act authorizing the Secretary of the Interior to convey certain land to the State of Montana to be used for the purposes of a public park and recreational site; to the Committee on the Public Lands.

S. 1379. An act authorizing any nation, tribe, or band of Indians, in suits heretofore filed under their original Jurisdictional Acts, to present claims to the United States Court of Claims, by amended petitions at any time before final submission of said suits, to conform to the evidence; and authorizing the said court to adjudicate such claims upon their merits as though filed within the time limitation fixed in said original Jurisdictional Acts; to the Committee on Indian Affairs.

S. 1435. An act to create a Board of Shorthand Reporting, and for other purposes; to the Committee on the Judiciary.

S. 1517. An act authorizing the payment of attorneys' fees contracted to be paid by certain Indians allotted on the Quinaielt Reservation, State of Washington, and for other purposes; to the Committee on Indian Affairs.

S. 1626. An act for the relief of Maurice D. Pryor; to the Committee on Military Affairs.

S. 1759. An act to amend an act entitled "An act to eliminate the requirements of cultivation in connection with certain homestead entries", approved August 19, 1935; to the Committee on the Public Lands.

S. 1865. An act for the relief of Mrs. Cliff Snider; to the Committee on Claims.

S. 1882. An act for the relief of the Consolidated Aircraft Corporation; to the Committee on Claims.

S. 1918. An act to authorize the award of a decoration for distinguished service to Acors Rathbun Thompson; to the Committee on Naval Affairs.

S. 1986. An act to amend section 42 of title 7 of the Canal Zone Code; to the Committee on the Judiciary.

S. 1998. An act to amend the act entitled "An act to provide for the collection and publication of statistics of peanuts by the Department of Agriculture", approved June 24, 1936; to the Committee on Agriculture.

S. 2010. An act to authorize the appointment of an additional judge for the southern district of Ohio; to the Committee on the Judiciary.

S. 2026. An act to provide for the addition of certain lands to the Fort Donelson National Military Park in the State of Tennessee, and for other purposes; to the Committee on the Public Lands.

S. 2086. An act to authorize the construction of a Federal reclamation project to furnish a water supply for the lands of the Arch Hurley Conservancy District in New Mexico; to the Committee on Irrigation and Reclamation.

S. 2093. An act for the relief of George H. Stahl and Henry A. Behrens; to the Committee on Military Affairs.

S. 2146. An act to amend the act entitled "An act conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the city of Perth Amboy, N. J., approved July 23, 1935; to the Committee on Claims.

S. 2221. An act to facilitate the control of soil erosion and flood damage originating upon lands within the exterior boundaries of the Cache National Forest in the State of Utah; to the Committee on Agriculture.

S. 2241. An act for the relief of W. G. Adams; to the Committee on Claims.

S. 2276. An act to provide for an additional midshipman at the United States Naval Academy, and for other purposes; to the Committee on Naval Affairs.

S. 2279. An act to amend section 2 of the act entitled "An act to give wartime rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States", approved June 21, 1930, so as to prohibit persons who have been subsequently separated from the service under other than honorable conditions from bearing the official title and upon occasions of ceremony wearing the uniform of the highest grade held by them during their war services, and for other purposes; to the Committee on Military Affairs.

S. 2301. An act for the relief of Lois H. Anthony; to the Committee on Claims.

S. 2349. An act to authorize the administration of oaths by the Chief Clerk and the Assistant Chief Clerk of the Office of the United States High Commissioner to the Philippine Islands, and for other purposes; to the Committee on Insular Affairs.

S. 2416. An act relating to the citizenship of certain classes of persons born in the Canal Zone or the Republic of Panama; to the Committee on Immigration and Naturalization.

S. 2418. An act for the relief of John Prosser; to the Committee on Claims.

S. 2629. An act to authorize an exchange of lands between the city of San Diego, Calif., and the United States; to the Committee on Naval Affairs.

S. 2647. An act to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost while engaged in emergency relief expeditions during the Ohio Valley flood in January and February 1937; to the Committee on Claims.

S. 2649. An act to authorize appropriations for construction and rehabilitation at military posts, and for other purposes; to the Committee on Military Affairs.

S. J. Res. 150. Joint resolution to provide for the appointment of a delegate to the Fifth World Congress of the Deaf; to the Committee on Foreign Affairs.

#### ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 563. An act for the relief of E. W. Garrison;

H. R. 607. An act for the relief of Dorothy McCourt;

H. R. 1235. An act for the relief of John Brennan;

H. R. 1310. An act for the relief of Clifford R. George and Mabel D. George;

H. R. 1406. An act for the relief of Frank S. Walker;

H. R. 1689. An act for the relief of Dominga Pardo;

H. R. 1731. An act for the relief of Angelo and Auro Cataneo;

H. R. 1761. An act for the relief of Paul J. Francis;



H. R. 1851. An act for the relief of W. D. Davis;  
 H. R. 2404. An act for the relief of James Philip Coyle;  
 H. R. 2482. An act for the relief of Lonnie O. Ledford;  
 H. R. 2703. An act to provide for the representation of the United States Court of Appeals for the District of Columbia on the annual conference of senior circuit judges;

H. R. 2757. An act to carry out the findings of the Court of Claims in the claim of the Morse Dry Dock & Repair Co.;

H. R. 2774. An act for the relief of certain employees of the Division of Investigation, Department of the Interior, and certain disbursing officers of the Department of the Interior;

H. R. 2934. An act for the relief of Raymond E. Payne and Anna R. Payne;

H. R. 2983. An act for the relief of Mr. and Mrs. J. C. Porter;

H. R. 3002. An act for the relief of Timothy Joseph McCarthy;

H. R. 3075. An act for the relief of E. P. Lewis;

H. R. 3123. An act to authorize the Secretary of War to lease to Old Fort Niagara Association, Inc., portions of the Fort Niagara Military Reservation, N. Y.;

H. R. 3262. An act for the relief of John H. Wykle;

H. R. 3284. An act to transfer Crawford County, Iowa, from the southern judicial district of Iowa to the northern judicial district of Iowa;

H. R. 3339. An act for the relief of Allie Rankin;

H. R. 3565. An act for the relief of the Northwestern Ohio Mutual Rodded Fire Insurance Co.;

H. R. 3809. An act for the relief of H. E. Wingard;

H. R. 3967. An act for the relief of Adele Fowlkes;

H. R. 4623. An act for the relief of C. O. Eastman;

H. R. 4679. An act for the relief of John L. Summers, former disbursing clerk, Treasury Department; and Frank White, G. F. Allen, H. T. Tate, and W. O. Woods, former Treasurers of the United States;

H. R. 4682. An act for the relief of W. R. Fuchs;

H. R. 4711. An act to extend the times for commencing and completing the construction of a bridge across Puget Sound at or near a point commonly known as The Narrows, in the State of Washington;

H. R. 4942. An act for the relief of A. L. Mallery;

H. R. 5102. An act for the relief of Mr. and Mrs. Frank Muzio;

H. R. 5258. An act for the relief of the Jackson Casket & Manufacturing Co.;

H. R. 5337. An act for the relief of Charles B. Murphy;

H. R. 5438. An act for the relief of Richard T. Edwards;

H. R. 5496. An act for the relief of Willard Webster;

H. R. 5652. An act for the relief of Frank A. Smith;

H. R. 5848. An act to extend times for commencing and completing the construction of a bridge across the Wabash River at or near Merom, Sullivan County, Ind.;

H. R. 6049. An act to amend the Interstate Commerce Act;

H. R. 6144. An act to amend the Canal Zone Code;

H. R. 6230. An act for the relief of certain former disbursing officers of the Veterans' Administration and of the Bureau of War Risk Insurance, Federal Board for Vocational Education, and the United States Veterans' Bureau (now Veterans' Administration);

H. R. 6285. An act authorizing the State Roads Commission of the State of Maryland and the State Road Commission of the State of West Virginia to construct, maintain, and operate a free highway bridge across the Potomac River in Washington County, Md., at or near a point opposite Shepherdstown, W. Va., and a point at or near Shepherdstown, Jefferson County, W. Va., to take the place of a bridge destroyed by flood;

H. R. 6286. An act authorizing the State Roads Commission of the State of Maryland and the State Road Commission of the State of West Virginia to construct, maintain, and operate a free highway bridge across the Potomac River at or near a point in the vicinity of Hancock, in Washington County, Md., and a point near the north end of Morgan County, W. Va., to take the place of a bridge destroyed by flood;

H. R. 6292. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Niobrara, Nebr.;

H. R. 6436. An act authorizing cash relief for certain employees of the Panama Canal not coming within the provisions of the Canal Zone Retirement Act;

H. R. 6494. An act to extend the times for commencing and completing the construction of a bridge across the Snake River between Clarkston, Wash., and Lewiston, Idaho;

H. R. 6763. An act to extend for 1 additional year the 3½-percent interest rate on certain Federal land-bank loans, to provide a 4-percent interest rate on such loans for the period July 1, 1938, to June 30, 1939, and to provide for a 4-percent interest rate on Land Bank Commissioner's loans for a period of 2 years;

H. R. 7021. An act validating and confirming certain patents issued for lands situated in township 5 south, range 15 east, Montana principal meridian, in the State of Montana;

H. J. Res. 41. Joint resolution authorizing the disposal of certain lands held by the Panama Railroad Co. on Manzanillo Island, Republic of Panama; and

H. J. Res. 349. Joint resolution authorizing certain retired officers or employees of the United States to accept such decorations, orders, medals, or presents as have been tendered them by foreign governments.

#### ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

Mr. RANKIN. Mr. Speaker, I am going to ask the Members to vote that motion down.

The SPEAKER. The question is on the motion to adjourn.

The question was taken; and on a division (demanded by Mr. RANKIN) there were—ayes 41, noes 24.

Mr. RANKIN. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. Those who favor taking this vote by the yeas and nays will rise and stand until counted. [After counting.] Thirteen gentlemen have arisen, not a sufficient number. The rule provides that the yeas and nays may be ordered by one-fifth of the Members present.

The yeas and nays are refused.

So the motion was agreed to; accordingly (at 5 o'clock and 2 minutes p. m.) the House adjourned until tomorrow, Thursday, July 1, 1937, at 12 o'clock noon.

#### COMMITTEE HEARINGS

##### COMMITTEE ON THE DISPOSITION OF EXECUTIVE PAPERS

The Committee on the Disposition of Executive Papers will hold a public hearing in room 246, known as the Civil Service Committee room, in the House Office Building, at 10:30 a. m., Thursday, July 1, 1937, on H. R. 7504, to provide for the disposition of certain records of the United States Government.

##### COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold a public hearing in room 219, House Office Building, Wednesday, July 7, 1937, at 10 a. m., on H. R. 7158, to except yachts, tugs, towboats, and unrigged vessels from certain provisions of the act of June 25, 1936, as amended.

##### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE—POSTPONED

The meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Wednesday, July 7, 1937, on H. R. 5182 and H. R. 6917—textile bills—is postponed until 10 a. m., Thursday, July 8, 1937.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

693. A letter from the President of the United States, transmitting supplemental estimates of appropriations for the Federal Communications Commission for the fiscal year 1938, amounting to \$148,000 (H. Doc. No. 279); to the Committee on Appropriations, and ordered to be printed.

694. A letter from the President of the United States, transmitting an estimate of appropriation submitted by the Commissioners of the District of Columbia to pay a claim which has been settled by them under the provisions of the act entitled "An act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia", approved February 11, 1929 (45 Stat. 1160), as amended by the act approved June 5, 1930 (46 Stat. 500), amounting to \$300 (H. Doc. No. 280); to the Committee on Appropriations, and ordered to be printed.

695. A letter from the Clerk of the House of Representatives, transmitting information concerning the contested election of J. Will Taylor, Representative in Congress from the Second Congressional District of Tennessee (H. Doc. No. 282); to the Committee on Elections No. 1, and ordered to be printed with accompanying papers.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

*[Omitted from the Record of Apr. 12, 1937]*

Mr. WOODRUM: Committee on Appropriations. House Joint Resolution 319. Joint resolution making an appropriation for the control of outbreaks of insect pests; without amendment (Rept. No. 579). Referred to the Committee of the Whole House on the state of the Union.

*[Omitted from the Record of Apr. 15, 1937]*

Mr. WARREN: Committee on Accounts. House Joint Resolution 228. Joint resolution authorizing the payment of salaries of the officers and employees of Congress for December on the 20th day of that month of each year; without amendment (Rept. No. 617). Referred to the Committee on the Whole House on the state of the Union.

*[Submitted June 30, 1937]*

Mr. CANNON of Missouri: Committee on Appropriations. H. R. 7726. A bill making appropriations for the first half of the month of July 1937 for certain operations of the Federal Government which remain unprovided for on July 1, 1937, through the failure of enactment of the supply bills customarily providing for such operations; without amendment (Rept. No. 1145). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODRUM: Committee on Appropriations. House Joint Resolution 433. Joint resolution making appropriations for the fiscal year ending June 30, 1938, for the Civilian Conservation Corps, the railroad retirement account, and other activities, and for other purposes; with amendment (Rept. No. 1146). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAMILTON: Committee on Naval Affairs. H. R. 4676. A bill to provide for the reimbursement of certain civilian employees of the Navy for the value of personal effects destroyed in a fire at the naval air station, Hampton Roads, Va., May 15, 1936; without amendment (Rept. No. 1153). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 7216. A bill to provide for the assignment of officers of the Navy for duty under the Department of Commerce and appointment to positions therein; with amendment (Rept. No. 1154). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on Merchant Marine and Fisheries. House Joint Resolution 434. A joint resolution to amend the act entitled "An act to amend section 4471 of the Revised Statutes of the United States, as amended"; without amendment (Rept. No. 1155). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. O'MALLEY: Committee on War Claims. H. R. 2860. A bill for the relief of Walter W. Johnston; without amend-

ment (Rept. No. 1148). Referred to the Committee of the Whole House.

Mr. O'MALLEY: Committee on War Claims. H. R. 5871. A bill for the relief of Ralph B. Sessoms; without amendment (Rept. No. 1150). Referred to the Committee of the Whole House.

Mr. MAGNUSON: Committee on Naval Affairs. H. R. 3372. A bill for the relief of Luke Francis Brennan; with amendment (Rept. No. 1151). Referred to the Committee of the Whole House.

Mr. DELANEY: Committee on Naval Affairs. H. R. 5440. A bill to authorize the award of a decoration for distinguished service, namely, the Congressional Medal of Honor, to Acors Rathbun Thompson; without amendment (Rept. No. 1152). Referred to the Committee of the Whole House.

#### ADVERSE REPORTS

Under clause 2 of rule XIII,

Mrs. NORTON: Committee on Labor. House Resolution 248. Resolution requesting the Secretary of Labor to furnish the House of Representatives with information (Rept. No. 1147). Laid on the table.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KOCIALKOWSKI: A bill (H. R. 7727) to authorize the administration of oaths by the Chief Clerk and the Assistant Chief Clerk of the Office of the United States High Commissioner to the Philippine Islands, and for other purposes; to the Committee on Insular Affairs.

By Mr. COLMER: A bill (H. R. 7728) authorizing the Commissioner of Lighthouses to mark a portion of the Pearl River-Cat Island Channel with buoys; to the Committee on Merchant Marine and Fisheries.

By Mr. O'NEILL of New Jersey: A bill (H. R. 7729) to amend Public Act No. 506, Sixty-eighth Congress, entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes"; to the Committee on the Post Office and Post Roads.

By Mr. ROBINSON of Utah: A bill (H. R. 7730) to authorize the President to appoint not to exceed six administrative assistants; to the Select Committee on Government Organization.

By Mr. BLOOM: A bill (H. R. 7731) to authorize the erection of a suitable memorial to Daniel Carter Beard, founder of the Boy Scouts of America; to the Committee on the Library.

By Mr. CLASON: Joint resolution (H. J. Res. 435) consenting to an interstate compact relating to flood control in the Connecticut River Valley; to the Committee on Flood Control.

By Mr. TOBEY: Joint resolution (H. J. Res. 436) consenting to an interstate compact relating to flood control in the Merrimack River Valley; to the Committee on Flood Control.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY: A bill (H. R. 7732) for the relief of Alphonsus L. Sherry; to the Committee on Naval Affairs.

By Mr. COOLEY: A bill (H. R. 7733) for the relief of W. B. Tucker, Helen W. Tucker, Lonie Meadows, and Susie Meadows; to the Committee on Claims.

By Mr. LAMNECK: A bill (H. R. 7734) conferring jurisdiction upon the United States District Court for the Southern District of Ohio to hear, determine, and render judgment upon the claim of A. L. Eldridge; to the Committee on Claims.

By Mr. LUECKE of Michigan: A bill (H. R. 7735) granting a pension to Della Goosberry; to the Committee on Pensions.



By Mr. MAGNUSON: A bill (H. R. 7736) for the relief of William E. Beldin; to the Committee on Naval Affairs.

By Mr. O'CONNELL of Rhode Island: A bill (H. R. 7737) granting a pension to Mabel S. Pickup; to the Committee on Invalid Pensions.

By Mr. WADSWORTH: A bill (H. R. 7738) to extend the time within which Leo N. Munro may file suit on his war-risk insurance contract (T-4092077) under section 19 of the World War Veterans' Act, 1924, as amended; to the Committee on World War Veterans' Legislation.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2813. By Mr. COFFEE of Washington: Resolution of Harper, Fragaria, and Olalla (Kitsap County) Precinct Assemblies of the Washington Commonwealth Federation, A. J. Buchanan, secretary, Olalla, Wash., urging that Congress forthwith support the President's judiciary reform legislation without amendment; to the Committee on the Judiciary.

2814. By Mr. CURLEY: Petition of the Brotherhood of Locomotive Firemen and Enginemen, endorsing President Roosevelt's court reform program; to the Committee on the Judiciary.

2815. By Mr. DALY: Resolution adopted by the Brotherhood of Locomotive Firemen and Enginemen, endorsing the President's proposal to enlarge the United States Supreme Court; to the Committee on the Judiciary.

2816. By Mr. PFEIFER: Petition of General Putnam Council, No. 78, Junior Order United American Mechanics, Brooklyn, N. Y., concerning House bill 6320; to the Committee on Ways and Means.

2817. By Mr. THOMAS of New Jersey: Resolution adopted by Benda Roehrich Post, No. 2867, Veterans of Foreign Wars of the United States, Garfield, N. J., on June 24, 1937, stating that the next battleship be named U. S. S. *New Jersey*, due to the fact that records show that since the destruction of the old battleship *New Jersey*, there has never been one to take its place; to the Committee on Military Affairs.

### SENATE

THURSDAY, JULY 1, 1937

(Legislative day of Tuesday, June 15, 1937)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

#### THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, June 29, 1937, was dispensed with, and the Journal was approved.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 2620. An act to amend the Hawaiian Homes Commission Act, 1920;

S. 2621. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue sewer bonds;

S. 2622. An act to authorize the Legislature of the Territory of Hawaii to create a public corporate authority authorized to engage in slum clearance and housing undertakings and to issue bonds of the authority, to authorize said legislature to provide for financial assistance to said authority by the Territory and its political subdivisions, and for other purposes;

S. 2652. An act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes; and

S. 2653. An act to amend an act entitled "An act to enable the Legislature of the Territory of Hawaii to authorize the

issuance of certain bonds, and for other purposes", approved August 3, 1935.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 6635) to dispense with the necessity for insurance by the Government against loss or damage to valuables in shipment, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6692) making appropriations for the Military Establishment for the fiscal year ending June 30, 1938, and for other purposes; that the House had receded from its disagreement to the amendments of the Senate nos. 2, 5, and 16 to the bill and concurred therein; that the House had receded from its disagreement to the amendments of the Senate nos. 24, 26, and 79 to the bill and concurred therein severally with an amendment, in which it requested the concurrence of the Senate; and that the House adhered to its disagreement to the amendments of the Senate nos. 1, 47 to 77, inclusive, and 80, and also the amendment to the title of the bill.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 17), as follows:

*Resolved by the Senate (the House of Representatives concurring), That there shall be printed 30,000 additional copies of Senate Report No. 711, current session, on the bill (S. 1392) to reorganize the judicial branch of the Government, of which 7,000 copies shall be for the use of the Senate Document Room and 23,000 copies for the use of the House Document Room.*

The message further announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 2156. An act to amend the act relating to the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, approved June 10, 1930, and for other purposes; and

S. 2254. An act to amend section 460, chapter 44, title II, of the act entitled "An act to define and punish crimes in the District of Alaska and to provide a code of criminal procedure for said District", approved March 3, 1899, as amended.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 7274. An act to enable the Department of Labor to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices and to cooperate with the States in the promotion of such standards;

H. R. 7562. An act to encourage and promote the ownership of farm homes and to make the possession of such homes more secure, to provide for the general welfare of the United States, to provide additional credit facilities for agricultural development, and for other purposes;

H. R. 7726. An act making appropriations for the first half of the month of July 1937, for certain operations of the Federal Government which remain unprovided for on July 1, 1937, through the failure of enactment of the supply bills customarily providing for such operations;

H. J. Res. 379. Joint resolution authorizing Federal participation in the New York World's Fair, 1939;

H. J. Res. 433. Joint resolution making appropriations for the fiscal year ending June 30, 1938, for the Civilian Conservation Corps, the Railroad Retirement Account, and other activities, and for other purposes; and

H. J. Res. 434. Joint resolution to amend the act entitled "An act to amend section 4471 of the Revised Statutes of the United States, as amended."

#### ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the President pro tempore:

H. R. 563. An act for the relief of E. W. Garrison;